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Journal of the Senate.

1st Day.

General Assembly of Colorado
Senate
First Session. 1876.

The Senate of the State of Colorado in accordance with, and pursuant to the provisions of Section 7. Article 5. of the Constitution of the State of Colorado assembled in the City of Denver on the First day of November AD 1876. at the hour of 12 M.

Hon H. P. Bennet. Senator elect from the 8th Senatorial District called the Senate to order and said

Gentlemen, I hold in my hand a Certificate bearing the broad seal of the Centennial State as evidence of my election as one of the members of the State Senate. I presume that all of you gentlemen within the bar hold like evidence of your rights as members of the State Senate. For the purpose of effecting an organization of this body I move that the Hon T. O. Saunders of the 3rd Senatorial District act as temporary President

The motion being put, it was carried and the Hon T. O. Saunders declared duly elected temporary President

On motion of Mr Bennet, -

Hon William A. Hamill, Senator elect from the 6th Senatorial District was elected temporary Secretary

~~On motion of Mr Hamill, and by a unanimous vote:~~

~~Prayer was then offered by the Revd. Mr Millington -~~

On motion of Mr Maxwell -

A committee of Five was appointed by the President on Credentials consisting of - Messrs Rockwell, Butler, Hill, Clelland and Meyer.

The Committee on Credentials made the following report.

To the Hon Senate of the General Assembly of the State of Colorado.

Your Committee appointed to examine the Credentials and report the names of the members elect to this honorable body, beg leave to report the following named gentlemen entitled to seats upon this floor.

1st	Senatorial District,		Silas B. Haynes
2nd	"	"	Norman H. Meldrum
3d	"	"	James P. Maxwell and
"	"	"	T. O. Saunders
4th	"	"	L. C. Rockwell
5th	"	"	W. W. Webster
6th	"	"	Albert Johnson and
"	"	"	William A. Hamill
7th	"	"	A. H. De France
8th	"	"	Joseph E. Bates

" " " Lewis C. Ellsworth
" " " Alfred Butters end
" " " H. P. Bennett
9th " " Eugene Gaussoin
10th " " E. S. Randall
11th " " James F. Gardner
12th " " James Moynahan
13th " " J. B. Hall
14th " " James Clelland
15th " " J. [illegible] Hill
16th " " W. B. Hamilton
17th " " C. Barela end
" " " D. L. Taylor
18th " " W. H. Meyer
19th " " J. F. Chacon
20th " " Henry Henson.

All of which is respectfully submitted

L. C. Rockwell
Chairman

On motion of Mr Hamill.—
The report was received and adopted
On motion of Mr Hamill—
Harris Stratton was appointed temporary Sergeant-at-arms.
On motion of Mr Moynahan—
All of the Senators elect, excepting D. L. Taylor of the 17th Senatorial district took the oath of office, prescribed by law Hon.

A. W. Brazee, one of the Justices of the United States District Court, administering the same. On motion of Mr Hamil and by a unanimous vote Prayer was then offered by Revd Mr Wellington

The Senate then proceeded to the election of permanent officers.

Mr Bennett placed in nomination Wm W. Webster of the 5th district for the office of President pro tem.

On motion of Mr Butler:–

Mr W. W. Webster was elected by acclamation.

On motion, Messrs Bennett, Maxwell and Hamm were appointed a committee to escort the President pro tem, to the chair.

The President pro tem thereupon took the chair

The President announced that nominations for Secretary were now in order.

Mr Butler placed in nomination Geo. T. Clark. There being no further nominations on motion Mr Clark was declared duly elected by acclamation.

On motion, the oath of office was administered to Mr Clark by the President.

The election of Sergeant-at-arms being next in order.

Mr Haynes placed in nomination Harris Stratton.

There being no further nominations on motion Mr Stratton was declared duly elected by acclamation.

The election of Assistant Secretary being next in order

Mr Maxwell placed in nomination A. W. Kellogg.

There being no further nominations, on motion Mr Kellogg was declared duly elected by acclamation.

On motion of Mr Hamill –

The Senate at One O'clock adjourned to 3 P.M.

Afternoon Session.

Senate met pursuant to adjournment

President in the Chair.

Roll called.

absent Mr Tayler

Quorum present.

On motion of Mr Brunet. –

The Senate proceeded to the election of door Keeper.

Mr Moynahan placed in nomination E. C. Kavanaugh.

There being no further nominations on motion Mr Kavanaugh was declared duly elected by acclamation.

On motion of Mr Meyer

The Senate proceeded to the election of an Interpreter for the Spanish members.

Mr Meyer placed in nomination J. A. Garcia.

There being no further nominations,- on motion Mr Garcia was declared duly elected by acclamation.

On motion of Mr Butler.-

The oath of office was by the President administered to A W Kellogg, assistant Secretary, Harris Stratton, Sergeant-at-Arms, and J. A. Garcia, Interpreter.

Mr Hamill moved.-

That a Committee of three be appointed to inform the House of Representatives that the Senate is organized and ready to proceed to business

Carried.

The President appointed as such Committee Messrs Hamill, Ellsworth and Randall.

The Committee made a verbal report that they had discharged their duties and informed the House of the organization of the Senate.

Mr Butler moved.-

That the report be received and the Committee discharged

Mr Brunet raised a point of order on the motion, which was decided by the President not well taken.

The motion of Mr Butler was then adopted.

On motion of Mr Maxwell.-

The Senate took a recess subject to the call of the President.

The Senate was called to order.

The Sergeant-at-arms announced a Committee from the House consisting of Messrs Helm, Wilson and Lakes who stated that the House of Representatives had completed its organization and was ready to proceed to business.

Mr Brunet offered the following resolution

Resolved, That a Committee of three be appointed to inform the House that the Senate awaits the action of the House calling the Senate to the Hall of the House into joint session for the purpose of canvassing the election returns for the officers of the Executive department under Section 3 of Article 4. of the Constitution.

adopted

The President appointed as such Committee Messrs Brunet, Hummel & Henson

Message from the House

House of Representatives
Denver, Nov. 1-1876.

To the Hon President
Of the Senate

Sir,

I am instructed to inform you

honorable body that the House has passed the following resolution and request the concurrence of the Senate

Resolved, By the House of Representatives, of the State of Colorado the Senate concurring herein, that a joint Committee of two from this House and one from the Senate be appointed to wait upon the Governor and inform him that the two houses of this General Assembly are now organized and ready to receive any communications he may have to make to either House.

Respectfully
W. B. Felton
Chief Clerk.

The Committee appointed to inform the House that the Senate was ready to canvass the Election Returns, reported that they had performed that duty.

On motion the report was received and the committee discharged.

A Committee from the House, consisting of Messrs. Ransom, Chavez and Rand requested that the Senate appear in joint Convention to-morrow morning at 10½ O'clock in the Hall of the House of Representatives for the purpose of canvassing the Election returns.

Mr. Butler moved,–

That the invitation be accepted and that the Secretary be instructed to notify the House of such acceptance
Carried.

On motion of Mr. Butler.—
The Senate adjourned at 4 ^{45} P.M. to meet on to-morrow at 9 ^{30} a.m.

Journal of the Senate

2nd Day.

General Assembly of Colorado.
Senate
First Session
Second day.
November 2nd 1876.

Senate met pursuant to adjournment.
President in the Chair.
Roll Call.
Absent - Messrs Barela, Bates, Bennet, Ellsworth, Hall, Henson, Hill, Moynahan, Randall, Rockwell, Saunders and Taylor.
Quorum present.
Prayer by the Chaplain
Journal of yesterday read, corrected and approved.
Messrs Bennet, Randall, Henson and Saunders entered and took their seats.
On motion of Mr Gardner the Senate proceeded to the election of Engrossing Clerk.
Mr Meyer placed in nomination Herman Lauter
There being no further nominations
On motion of Mr Henson -
Mr Lauter was declared duly elected by acclamation.
On motion of Mr Hamill -
The Senate proceeded to the election of Enrolling Clerk.

Mr Hamill placed in nomination
L. F. Yates
There being no further nominations.
On motion of Mr Butters.
Mr Yates was declared duly elected
by acclamation.
Messrs Ellsworth, Hill and Barclay entered and took their seats.
On motion of Mr Butters.
The Senate proceeded to the election of
Chaplain.
Mr Butters placed in nomination
Revd. B. F. Watson.
There being no further nominations.
On motion of Mr Hewson.
Mr Watson was declared duly elected
by acclamation.
Messrs Hall, Bates and Moynahan entered and took their seats.
On motion of Mr Hewson.-
The Senate proceeded to the election of
Assistant Engrossing Clerk.
Mr Haynes placed in nomination
George W. Buell.
There being no further nominations
On motion of Mr Hewson.
Mr Buell was declared duly elected
by acclamation.
On motion of Mr Hamill.-

The Senate proceeded to the election
of Janitor
Mr Hamill placed in nomination
Daniel Rollison.
There being no further nominations.
On motion of Mr Hamill
Mr Rollison was declared duly elected
by acclamation.
On motion of Mr Hamill.
The Senate proceeded to the election
of two Pages.
Mr Muldoon placed in nomination
Master Charles Clark.
Mr Butler placed in nomination
Master Charles E. Ferguson
There being no further nominations.
On motion of Mr Henson.
Masters Charles Clark and Charles E.
Ferguson were declared duly elected
by acclamation
On motion of Mr Hamill.
The Senate proceeded to the election
of messenger
Mr Gardner placed in nomination
Aaron Causer.
There being no further nominations.
On motion of Mr Gardner.
Mr Causer was declared duly elected
by acclamation

Mr Meyer moved.
That the Senate proceed to the election of a Superintendent of Committee Rooms.

Mr De France opposed the motion and called for the ayes & Noes.

The ayes and Noes were called with the following result, viz.

Ayes - Messrs Barela, Bates, Bruent, Butters, Coleman, Ellsworth, Gardner, Hall, Hamill, Haynes, Henson, Johnson, Mcconnel, Mulchrun, Meyer Moynahan, Randall, Saunders Webster - 19.

Noes, - Messrs Cleveland, De France Gaussion, Hamilton, Hill - 5.

So the motion was carried

Mr Saunders moved that the title of the office be Keeper of the Committee Rooms.

Carried.

Mr Meyer placed in nomination Ev. Mailing

There being no further nominations

On motion of Mr Meyer.

Mr Mailing was declared duly elected by acclamation.

Mr Rutland entered and took his seat

Mr Bruent moved.

That the Senate proceed to the election of an Assistant Sergeant-at-Arms.

Mr De France opposed the motion and called for the Ayes and Noes.

The Ayes and Noes were called with the following result viz.

Ayes.- Messrs. Bates, Burnett, Butler, Chase, Ellsmith, Gardner, Hall, Hamill, Haynes, Henson, Johnson, Maxwell Meldrum, Monaghan, Randall, Rockwell, Saunders, Webster - 19.

Noes. - Messrs. Barela, Cleveland, De France, Gaussoin, Hamilton, Hill - 6.

So the motion was carried.

Mr Henson placed in nomination George W. Thompson.

There being no further nominations On motion of Mr Henson.

Mr Thompson was declared duly elected by acclamation

Mr Henson moved.-

That the Senate proceed to the election of an Assistant Engrossing Clerk.

Mr De France opposed the motion and called for the Ayes and Noes.

The ayes and Noes were called with the following result viz.

Ayes. Messrs Bates, Burnett, Butler Chase, Ellsmith, Gardner, Hall,

Hamill, Haynes, Henson, Johnson,
Maxwell, Meldrum, Meyer, Montgomery
Randall, Rockwell, Saunders, Webster — 19
Noes. Messrs. Barela, Cleland, De France
Garrison, Hamilton, Hill. — 6
So the motion was Carried.
Mr. Henson placed in nomination Mrs.
E. M. Chase.
There being no further nominations
On motion of Mr. Henson.
Mrs. Chase was declared duly elected
by acclamation.
On motion of Mr. Bennett.
The oath of Office was by the President
L. F. Yates Enrolling Clerk
administered to Daniel Rollins Janitor
George W. Thompson, — Assistant Sergeant-at-arms
Herman Lauter — Engrossing Clerk
Charles Clark Eng
Charles E. Ferguson — Pages
Aaron Carr — Messenger 2nd
Eugene Mulling — Keeper of the Committee Room
Mr. Hamill moved.—
That the Senate now proceed to the Hall
of the House of Representatives for the
purpose of canvassing the Election Returns for the offices of the Executive
Department.
Carried.
So at 10 ^{30} am. the Senate proceeded

to the Hall of the House of Representatives.

Joint Session.

The Senate was received by the Speaker of the House of Representatives upon entering the Hall of that Body and the President of the Senate escorted to the chair. The Secretary of the Senate occupying the Clerk's Desk.

After the President of the Senate had stated the business of the Joint Session the following proceedings were had viz

Roll Call.

Present Senators 25. Representatives 47.
Total 72

Absent Mr Taylor of the Senate and Messrs Moss and Aldrich of the House.
Total 3

Quorum present.

The Assistant Secretary of State, Mr Brewster then presented the Election Returns from the several Counties

The Speaker of the House of Representatives then proceeded to ~~read~~ publish the returns of each County for State Officers with the following result viz

Co	John S	Bela		Safoy	Frich	Wm	Jas	Sca	David	James	David
Arapahoe	2173	1795		2233	1734	2352	1607		2313	1657	
Bent	250	439		246	442	253	434				
Boulder	1539	1096		1485	1034	1572	1076		1572	1076	
Costilla	351	173		346	174	352	169		300	171	
Conejos	341	218		368	191	341	221		341	221	
Clear Creek	1072	1031		1093	1011	1148	952		1081	1019	
Douglas	282	333		294	322	293	325		297	320	
Elbert	84	117		85	116	83	118		84	117	
El Paso	713	397		716	399	722	386		744	370	25
Fremont	522	531		510	535	525	532		529	527	
Gilpin	1005	763		1011	757	1033	730		1013	759	
Grand	73	147		85	135	93	127		87	132	
Huerfano	410	614		385	637	413	610		416	605	
Hinsdale	420	382		409	385	423	362	J. G. Smith F. B. Clark 10-1	410	392	
Jefferson	537	596	Wm Gilpin 1	569	574	543	596		519	603	1
Larimer	374	300		380	293	380	293		362	310	
Lake	229	234		218	244	218	246		218	246	
Las Animas	669	1271		651	1282	676	1240		680	1257	
La Platta	50	108		55	104	54	108		54	108	
Park	465	423		467	416	463	416		468	416	
Pueblo	543	739		552	714	551	717		553	729	
Rio Grande	364	362		357	359	363	362		362	363	
Saguache	306	189		277	194	306	186		295	194	
San Juan	393	410		397	404	403	399		393	411	
Summit	201	185		202	186	209	181		205	182	
Weld	788	463		800	449	803	450		568	676	
Total	14154	13316	1	14191	13093	14582	12843		14117	13295	

Coun	Geo C Corn	Thomas M	Geo K. T	Scalteri	Archibo J. Sam	Geo D. Richm	Joseph C	J. B. Grove	Frank B. C	O. J. Gold	
Arapahoe	2177	1788			2224	1750	2254	1719			
Bent	247	442			254	432	255	434			
Boulder	1565	1042			1483	1036	1511	1133			
Costilla	335	185			327	194	350	65			
Conejos	296	267			341	221	341	219			
Clear Creek	1097	1011			1090	1016	1089	1017			
Douglas	290	327			291	326	293	329			
Elbert	84	117			83	118	83	118			
El Paso	694	387			707	406	721	385			
Fremont	517	538			519	522	523	533			
Gilpin	1005	759			1014	757	1007	762		Atty General	
Grand	84	131			88	132	87	105		A J Thompson	
Huerfano	371	646			407	614	413	606			
Hinsdale	403	395				385	408	389			416.
Jefferson	523	578	1	David C Corning 34	571	572	572	572			
Larimer	371	300			379	294	378	262	33.		
Lake	218	246			214	249	218	219	26		
Las Animas	655	1276			673	1265	676	1220			
La Platta	54	107			54	108	55	97	10		
Park	494	390			450	417	476	407			
Pueblo	540	742			520	750	550	729			
Rio Grande	356	369			352	373	362	357			
Saguache	295	196			297	194	297	158	24		
San Juan	378	423			388	415	389		415		
Summit	204	182			201	183	205	182			
Weld	785	466		James T Bentley 2	802	453	791	456			
Total	14038	13310			13729	13182	14304	12473	508		

Mr Irwin of Hinsdale County stated that he was County Clerk of that County at the time when the returns for that County were canvassed and that there was a mistake in making out the abstract. The name of A. J. Thompson was written instead of that of A. J. Sampson.

Mr Bennet stated that it would take some time to foot up abstracts and therefore moved that the Joint Convention take a recess 'till 2 O'clock P. M.

Carried.

So at 12 M. the Joint Convention took a recess until 2 P. M.

The Joint session was called to order at 2 P. M. by the President of the Senate

Roll Call.

Present: Senators 25. Representatives 47

Total 72

Absent - Mr Taylor of the Senate, and Messrs Moore and And Wilson of the House

Total 3.

Quorum present.

The following proceedings were had

W. W. Webster, President of the Senate and of the Joint Convention formally declared, that

The Secretary of the Senate and of the joint convention read the following abstract of votes cast for Officers of the Executive Department. viz

Abstract of the Canvass of the Vote for State Officers-

For Governor.

		Votes.
John L Routt	Received	14.154.
Bela M. Hughes	"	13,316
William Gilpin	"	1.

Routt's majority 837.

For Lieut-Governor.

Lafayette Head	Received	14.191.
Michael Beshoar	"	13.093.

Heads Majority 1098.

For Secretary of State.

William M Clark	Received	14.582
James T Smith	"	12.843.
T. J. Smith	"	10
J. B. Clark	"	1

Wm. M. Clark's Majority 1728.

For Treasurer.

George C. Corning	Received	14.038
Thomas M. Field	"	13,510
David C Corning	"	34.
James C Benedict	"	2.
Geo. C. Field	"	1.

Geo. C Corning's Majority 491.

For Auditor of State.

David C Crawford	Received	14,117.
James F. Benedict	"	13,295.
David C Benedict	"	26.

Crawford's Majority 796.

For Attorney General.

Archibald J Sampson	Received	13,729.
George L Richmond	"	13,182
A G Thompson	"	416.

Sampson's Majority 131.

For Supt of Public Instruction

Joseph C Shattuck	Received	14,304
J. B. Groesbeck	"	12.473.
Frank R Carpenter	"	508.

Shattuck's Majority 1323.

after which reading the President of the Senate and of the Joint Convention formally declared

That.–

John L. Routt having received the highest number of votes is elected Governor of the State of Colorado.

That.

Lafayette Head having received the highest number of votes is elected Lieutenant Governor of the State of Colorado.

That.

William M. Clark having received the highest number of votes is elected Secretary of State for the State of Colorado.

That.

David C. Crawford, having received the highest number of votes is elected State Auditor for the State of Colorado.

That.

George C. Corning having received the highest number of votes is elected State Treasurer for the State of Colorado.

That.

Archibald J. Sampson, having received the highest number of votes is elected Attorney General for the State of Colorado.

That.

Joseph C. Shattuck having received the highest number of votes is elected Superintendent of Public Instruction for the State of Colorado.

Mr Butler moved that the Clerk of the House be instructed to notify all of the State Officers, Elect, of the result of the Canvass.

A division being called for, the motion was declared Carried by a vote of 28 for & 24 against.

Mr Helm moved that this Joint Convention be now dissolved.

Carried.

So the Senate at 2 P.M. returned to its Chamber and ~~resumed~~ resumed its Session.

Roll Call.

All present except Mr Taylor.

Mr Brisbitt introduced Senate Bill No. 1, Relating to Presidential Electors, which was read in full.

Senate Bill No. 1, read a second time in full.

Mr Rockwell offered the following Resolution.

Resolved

That the Senate now resolve

itself into a Committee of the Whole to consider the bill regarding Presidential Elections, now under consideration

A division being called for on the adoption of the Resolution 13 voted in the affirmative and 7 in the negative So the resolution was adopted.

And the Senate went into Committee of the Whole with Mr Maxwell in the chair

The Committee of the whole arose and reported to the Senate through their Chairman Mr Maxwell as follows

Mr President

The Committee of the Whole having had under consideration Senate Bill No. 1. beg leave to report the same back to the Senate with amendments as follows. Strike out Section 2. and insert in lieu thereof the following

Sec 2. The said Joint Convention shall be called to order by the Presiding officer of the Senate, and the other officers of the two Houses shall act jointly as the officers of said Convention.

Also, in Section 3. after the word "further" strike out the words "or different"

Also, in Section 7. after the words "Lieutenant Governor" strike out the word "or" and insert in lieu thereof the word "and".

Respectfully Submitted
Jas. P. Maxwell
Chairman

Mr Butler moved the adoption of the report
Carried.
Mr Clelland moved that Senate Bill No. 1. be considered as engrossed and read a 3d time. Carried.
3d reading of Senate Bill No. 1.
Mr Maxwell moved that Senate Bill No. 1, be engrossed.
Carried.

Message from the House.

State of Colorado
House of Representatives.
November 2nd 1876.

To
The Hon the Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House of Representatives has passed the accompanying Bill in which the concurrence of the Senate is respectfully of the Senate is respectfully requested.

Respectfully
W. B. Feller
Chief Clerk.

Mr Brumet moved that House Bill No. 1 be taken up and read 1st time
Carried

1st Reading of House Bill No. 1, entitled a bill for an act to provide for the appointment by the General Assembly of Electors in the Electoral College

Mr. Brumet moved that House Bill No. 1, be read 2nd time.
Carried.

2nd Reading of House Bill No. 1

Mr Butler moved that House Bill No. 1 be referred to a Special Committee of Five.
Carried.

The President appointed as such Committee Messrs Brumet, Rockwell, De France, Haynes & Hamill.

Mr Hamill moved to adjourn until 9 am. to-morrow.
Carried

So at 4 O'clock P. M. the Senate adjourned 'till to-morrow at 9. O'clock A. M.

Journal of the Senate

Third Day

November 3rd 1876.

Approved

General Assembly of Colorado.
Senate.
First Session
Third Day
November 3d 1876.

Senate met pursuant to adjournment
President in the Chair ———
Roll Call. ———
Absent — Messrs. Hamilton, Moynahan,
Rockwell and Taylor. ———
Quorum present. ———
Prayer by the Chaplain. ———
Mr Rockwell appeared and took
his seat. ———
Journal of yesterday read, corrected and approved. ———
Messrs. Hamilton and Moynahan
appeared and took their seats. ———
Mr. Bennet from the Special Committee to whom was referred House
Bill No. 1, entitled "A bill for an Act to
provide for the appointment by this
General Assembly of Electors in
the Electoral College" reported as
follows. ———

Report of Special Committee.

Mr President.

The Special Committee on

House Bill No. 1, report it back without amendments and recommend its passage.

H. P. Bennet
Chairman.

Report received.

Mr Butters moved.

That House Bill No. 1 be read a 3d. time and put upon its final passage

Carried.

House Bill No. 1. read 3d. time.

Shall the bill pass.

Ayes. - Messrs. Barela. Bates. Bennet
Butters, Chacon, Clelland,
De France, Ellsworth, Gardner,
Gaussoin, Hall, Hamill,
Hamilton, Haynes, Henson,
Hill, Johnson, Maxwell,
Meldrum, Meyer, Moynahan, Randall, Rockwell,
Saunders, Webster — 25.

Absent. - Mr Taylor, 1

So the bill passed.

Title agreed to.

Mr Bennet moved; that

The Senate concur in the Resolution of the House, in regard to appointment of a Committee to wait upon the Governor, and inform him that the two Houses of this General Assembly are now organized and ready to receive any communications he may have to make, to either House"

Carried.

The President appointed Mr Bennet as a member of such committee on the part of the Senate.

Mr Maxwell moved that

a Committee of Five be appointed on Rules.

Carried.

The President appointed as such Committee

Messrs. Maxwell, Butters, De France,
Haynes and Meyer.

Mr. Butters moved, that,

a Committee of One be appointed from the Senate to act with a like Committee from the House, on Joint Rules.

Carried

The President appointed as such Committee, Mr Henson.

Mr Hamill moved

a recess subject to call of the President.

Carried

So at 9th a.m. the Senate took a recess.

President called the Senate to order.
Mr Gardner moved.

That Mr Carver be excused until the 13th instant from attendance upon this body as Messenger.

Carried.

Committee from the House consisting of Messrs. Ransom and Chacon appointed to act as members of Joint Committee to wait upon his Excellency, the Governor. appeared and announced their readiness to act

Message from the House.

State of Colorado.
Chamber of the House of Representatives
Denver Nov. 3d 1876.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body. that the House has concurred in the action of the Senate in appointing a Committee on Joint Rules and has appointed on said Committee Messrs Helm and Latta

Respectfully.

W. B. Fellows
Chief Clerk

Mr Butters moved
To take a recess until 2 P.M.
Carried.
So at 11 5/ A.M. the Senate took a recess.

Afternoon Session.

Senate met at 2 P.M.
President in the Chair
Roll Call
Absent - Messrs Butters, Chacon, Ellsworth, Gardner, Saunders and Taylor.
Quorum present.

Messages from the House.

State of Colorado.
Chamber of the House of Representatives
Denver, Nov. 3d 1876.
To the Honorable
The Senate of the State of Colorado.
I am requested to inform your Honorable Body that Messrs. Phelps and Searles have been appointed

by the House to confer with a like Committee from the Senate as to what measures may be necessary to be made to receive the Message of the Governor

Respectfully
W. B. Fellows
Clerk.

State of Colorado.
Chamber of the House of Representatives,
Denver. Nov. 3d 1876.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House has adopted the Resolution herewith transmitted, for a Joint Committee on Stationery, Printing & Supplies and respectfully ask the concurrence of the Senate therein

Respectfully
W. B. Fellows
Clerk

Messrs. Butters, Chacon, Ellsmith Gardner & Saunders appeared and took their seats.

Mr Bennet from the Joint Committee to wait upon his Excellency the Governor, reported that the Governor would communicate with the Senate by Message at 2 P.M.

Message from the Governor.

State of Colorado
Executive Department
Denver, Nov. 3d 1876.

Hon W. W. Webster
President of the Senate.
Sir

Having been informed by a Joint Committee of the Senate and House of Representatives that your Honorable Body was organized for the transaction of business and ready to receive any communication which I might be desirous of submitting, I have the honor to inform you that I will be prepared to present for your consideration a Statement of the affairs of the Commonwealth at 3^{30} P.M. and I respectfully request a Joint Session for that purpose.

Very Respectfully
John L. Routt.

Mr Bennett moved. ——

That resolution from the House in regard to arrangements for reception of the Governor's Message, be taken up. ——

Carried. ——

Mr Hamill moved. ——

The appointment of a committee of one to confer with a like Committee from the House relative to reception of the Governor's Message ——

Carried. ——

The President appointed as such Committee on the part of the Senate. Mr Hamill. ——

Mr Hamill was excused. ——

The President appointed Mr Bates. ——

Mr Butters moved. ——

That Mr Bates be excused and Mr Hamill appointed instead. ——

Carried. ——

Mr Randall moved. ——

That Messrs. Hamill, Ellsmith, Mcarwell, Meldrum & Meyer constitute a Committee to designate the names and number of the Standing Committees of the Senate; also to name the membership of such Committee. ——

Carried

Mr Randall moved,

That such Committee be instructed to report at as early a moment as practicable

Carried

House Resolution for Joint Committee as follows read.

Resolved.

By the House of Representatives of the State of Colorado, the Senate concurring herein that a Joint Committee of this General Assembly consisting of Two from the Senate and Three from this House be appointed to consider what, if any, legislation is necessary to provide for Stationery, Printing and other supplies including copies of the Revised Statutes and Session Laws required for the use of the members of the General Assembly at the present session and to report by bill or otherwise.

Mr Megeahan moved.

That the Senate concur in the resolution.

Carried.

So the resolution was adopted.

The President of the Senate appointed

as such Committee on the part of the Senate.

Messrs. Rockwell & Weldman.

Mr Gardner moved a recess subject to call of the President

Carried

So, at 2^{45} P.M. the Senate took a recess

Senate called to order by the President

Message from the House.

State of Colorado.

Chamber of the House of Representatives.

Denver. Nov. 3^{d} 1876.

To the Honorable

The Senate of the State of Colorado.

I have the honor to inform your Honorable Body, that the Resolution herewith transmitted has passed the House and Messrs. McBrown, Leonard & Irwin have been appointed on said Committee — The concurrence of the Senate is respectfully requested.

Respectfully

W. B. Fellows

Clerk.

House Resolution.

Resolved.

—— By the House of Representatives of the State of Colorado. the Senate concurring therein that a Joint Committee of this General Assembly consisting of Two from the Senate, and Three from the House, be appointed to escort the Governor, to meet this Assembly at 3 30 P.M. Nov. 3rd. 1876. for the purpose of delivering in Joint Assembly his message etc. and that the two Houses at that time hold such Joint Convention at the Denver Theatre corner of 16th and Lawrence Streets in this City

---

Mr Hamill from the Special Joint Committee appointed to arrange for the reception of the Governor's Message made a verbal report, ——

That it was agreed to meet at the Denver Theatre at 3 30 P.M. to receive said message. ——

Mr Buttles moved. ——

That the Senate do refuse to concur in House Resolution relative to appointment of Joint Committee to escort His Excellency, the Governor to the General Assembly. ——

Carried. ——

Mr Buttles moved, ——

To adopt report of Special Committee and to instruct the Secretary to notify the House that the Senate would meet that Honorable Body in Joint Session at 3³⁰ P.M.—
Carried.

The Chief Clerk of the House of Representatives presented House Bill No. 1.

The President announced the signing of H. B. No. 1.

A Committee from the House consisting of Messrs. Simmons, Wilson and Leonard appeared and announced that the House of Representatives was ready to receive the Senate in the Hall of that Body.

Mr Hamill moved.
That the Senate accept the invitation and proceed forthwith to the Hall of the House of Representatives.
Carried.

So at 3³⁰ P.M. the Senate proceeded to the Hall of the House of Representatives for the purpose of receiving the Message of His Excellency, the Governor.

Joint Convention.

The joint convention assembled in the Hall of the House of Representatives, the President of the Senate in the Chair.

The President stated the object of the Convention to be, to await such communications as His Excellency the Governor, might desire to make to the General Assembly of Colorado.

Mr Hamill moved.

That the Joint Convention proceed to the Hall, Corner of Lawrence and 16th Streets, to listen to the Communication from His Excellency, the Governor.

Carried.

The Convention then proceeded to the place designated.

Mr Bennet moved.

That a Committee of Five be appointed to wait upon His Excellency, the Governor and inform him that the General Assembly awaits his action.

Mr Phelps moved.

To amend by providing that the Committee escort His Excellency to this General Assembly.

Amendment accepted and motion

Carried

The President appointed as such.

Committee.

Messrs. Bennet, Clelland, McBrown, Leonard and A. D. Wilson.

The Committee appointed to wait upon His Excellency, the Governor reported the discharge of their duty.

The President then announced the presence before the Joint Convention of His Excellency, the Governor, and other State Officers; elect.

The Oath of Office prescribed by law was then by the Hon A.W. Brazee, one of the Justices of the United States District Court administered to.

John L. Routt as Governor of the State of Colorado.

Lafayette Head as Lieutenant Governor of the State of Colorado.

William M. Clark, as Secretary of State of the State of Colorado. and

David C. Crawford as Auditor of State of the State of Colorado.

The President pro tem of the Senate then presented Lieutenant Governor Head as the presiding Officer of the Convention, who thereupon took the Chair.

The Lieutenant Governor then presented His Excellency Governor Routt who delivered his Message to the Convention.

Message.

The President, pro tem, resumed the Chair.

Mr Butters moved, that

The Convention now return to the Hall of the House of Representatives

Carried.

So the Joint Convention at 5 P.M. returned to the Hall of the House of Representatives.

Mr Clelland moved, that

The Joint Convention do now disolve.

Carried.

So at 5 10/ P.M. the Senate returned to the Senate Chamber and resumed its session.

Mr Bennet asked unanimous consent to introduce Senate Bill No 2, entitled "a bill for an Act to provide for the Contingent expenses of the General Assembly"

Consent given and

S.B. No. 2. read the first time.

Mr Bennet moved, that

S.B. No. 2. be referred to the Special Committee appointed under House Resolution relative to Contingent Expenses.

Carried.

Mr Bennet moved, that —

When the Senate adjourn, it adjourn until to-morrow morning at 9. a.m. —

Mr Hamill moved, as an amendment, that —

The Senate adjourn until Monday next at 10 a.m. —

Division was called for. —

Ayes. 9. —

Noes. 13. —

So the amendment was lost. —

The question recurring on the original motion it was declared adopted. —

Mr Barela moved to adjourn. —

Carried. —

So at 5 ^{30} P.M. the Senate adjourned

Journal of the Senate

Fourth Day

November 4th 1876

Append

General Assembly of Colorado.

Senate.

First Session

Fourth Day

November 4th 1876

Senate met pursuant to adjournment. President in the Chair.

Roll Call.

Absent - Messrs. Bates, De France, Haynes, Meyer, Rockwell, and Taylor.

Quorum present.

Prayer by the Chaplain.

Mr Bates appeared and took his seat.

Journal of yesterday read, corrected and approved.

Mr Meldrum from the Special Committee on Contingent Expenses reported as follows.

Mr President.

Your Committee to whom was refered S. B. No. 2. beg leave to report that they have had the same under consideration and report the same back without recommendation.

H. H. Meldrum.

Mr Bennet moved.

That S. B. No. 2. be read 2nd time.

Carried.

Second reading of S. B. No. 2.

Mr Butters moved

That S. B. No. 2. be referred back to Special Committee

Motion lost.

Mr Bennet moved.

That the Senate resolve itself into Committee of the Whole on S. B. No. 2.

Motion lost.

Mr Ellsworth moved.

That S. B. No. 2. be referred back to Special Committee

Mr Bennet moved.

To amend by adding Mr Ellsworth to Special Committee

Mr Ellsworth declined to act.

Mr Bennet moved.

To amend by providing for the appointment of a Special Committee of Three.

Carried.

The question recurring on the original motion as amended. it was declared

Carried

The President appointed as such

Committee. Messrs Rockwell, Meldrum and Bates.—

Mr Barela offered the following resolution.—

Resolved.—

That the Secretary of State be requested to make proper arrangements for the Translation and Printing of the Governor's Message in Spanish, for distribution among, and benefit of the Spanish population of this State who do not speak the English Language.—

Mr Bennet moved.—

To refer Resolution to Special Committee on S. B. No 2.—

Carried.—

Mr Saunders moved.—

To adjourn to meet on Monday November 6th 1876. at 10 a.m.—

Carried.—

So the Senate at 9^{40} a.m. adjourned.—

Journal of the Senate.

Fifth Day.

November 6th 1876

Approved.

General Assembly of Colorado.

Senate
First Session
Fifth Day

November 6th 1876.

Senate met pursuant to adjournment —
Lieutenant Governor presiding —
Roll Call. —
Absent — Messrs. Barela, De France, Haynes
Randall and Taylor —
Quorum present. —
Prayer by the Chaplain —
Mr Haynes appeared and took his seat —
Journal of Saturday Nov. 4th read and approved. —
The President assumed the Chair. —
Mr Butters offered the following concurrent resolution and moved its adoption viz —
Resolved. —
— The House of Representatives concurring herein. that a Joint Committee consisting of Two members of the Senate and Three members of the House be appointed to devise a plan for the revision of the Statutes and the adjustment of the same to the requirements of the Constitution of the State, and

that said Committee be instructed to report to their respective Houses as soon as practicable."

Mr De France appeared and took his seat.

Mr Rockwell moved to amend by making the consideration of the Resolution a Special Order for Thursday morning of this week.

Carried.

Mr Rockwell from Special Committee on S. B. No. 2. reported as follows

To: The Honorable

The President of the Senate

Your Committee to whom was referred S. B. No. 2. would respectfully report, that they have had the same under consideration, and are informed by the Secretary of State that he has a sufficient supply of Stationery on hand including Pens, Ink, Writing paper, Legal Cap, Enrolling and engrossing paper etc to supply the wants of the two Houses for at least a month.— That the Session Laws of every Session except those of 1868. can be supplied and as to those of 1868, perhaps 5 copies can be had for the use of this body and 10 for use of the House.— That Mr Beckwith of the "Tribune" has kindly offered to print this, or any other bill, gratuitously until provision is made for the printing

Respectfully Submitted
L. C. Rockwell
Chairman.

On motion of Mr Moynahan —
The President administered Oath of Office
to —
George W. Buell as Assistant Engrossing
Clerk and —
E. C. Kavanaugh as Doorkeeper —
Mr Bates moved to adjourn until
2 P.M. —
Carried —
So the Senate at 10³⁰ a.m. adjourned —

Afternoon Session

Senate met pursuant to adjournment —
President in the Chair
Roll Call —
Absent - Messrs. Bennet, Moynahan
Randall and Taylor —
Quorum present —
Mr Moynahan appeared and took
his seat —
Mr Meldrum introduced Petition of
Joseph T. Boyd asking appointment
of Committee to investigate and report
whether Allison H. De France is entitled
to a seat as Senator from the 7th
Senatorial District, as follows —
To The Hon. —

The Senate of the State of Colorado. —
in General Assembly convened. —
The Petition of Joseph T. Boyd of the town of Golden, in the County of Jefferson and State of Colorado, respectfully shows. —

1st — That he is a citizen of the United States above the age of Twenty-five years; a resident and citizen of the State of Colorado and for the past Seventeen years has been, and now is a resident of the County of Jefferson aforesaid and is a qualified Elector therein. —

That said County of Jefferson, constitutes the Seventh (7th) Senatorial District under the Constitution of the State of Colorado. —

2nd — That at the general election held in said State on the Third day of October A.D. 1876 your Petitioner was a Candidate for the office of Senator of said State, and as your Petitioner verily believes and hence states the fact to be, your Petitioner received at the Polls of said Election held in, and for the said County of Jefferson, duly and legally, a majority of all the votes cast by the duly qualified electors of said County —

3d — That notwithstanding the fact, through certain alleged errors in canvassing the votes of electors cast, your Petitioner is now denied the rights, prerogatives and emoluments of the said office, the same having been accorded to Allison H. De France, who now wrongfully and unlawfully possesses, holds and enjoys the same.—

4th — That by reason of an alleged irregularity in the returns of the votes cast at said election in Platte Precinct in said County of Jefferson, the whole of the votes cast in said Precinct for all the candidates for office at said election were thrown out, and not taken into consideration in the Canvass of said votes cast at said election by the Board of County Canvassers of said County of Jefferson whose duty it was to canvass the votes cast at said election.— That at the polls of the said election in said Platte Precinct held as aforesaid your petitioner received a majority of all the votes cast and that had such votes so cast in said precinct been considered and counted in the canvass of the votes of said County for the Office of Senator as of right they should have been your petitioner would have been found to have received a majority of all the votes cast, and in consequence would have been returned as duly elected to the said Office of Senator according to law.

That your petitioner was a candidate for no other office at said Election than Senator, and that at said election such fact was public and notorious, as well as at the time of the Canvass of said votes by the said Board of County Canvassers.

That at the time of the Canvass of the said votes of said County by the Board of County Canvassers your petitioner was present and protested against the action of said Board in throwing out and disregarding the said votes cast in said Platte Precinct for your petitioner.

5th - Your petitioner further shows that the Judges of Election for said Election in Platte Precinct accompanied their return of the votes cast in said Platte Precinct with the original tally sheet made by one of the Clerks of the Election at said Polls at the time of the counting and canvassing of the votes cast thereat, by which original tally sheet the result of the said Election in said Precinct was noted, and a record of such result made therefrom ——

That said tally sheet not only contains an account and notation of the votes cast for Senator but also, of the votes cast for all the candidates for office at said Election and shows your petitioner to have received a majority of all the votes cast for Senator in said Precinct at said Election. ——

That said tally sheet is in truth and fact a part of the said return of the said Judges of Election of said Precinct and should have been considered therewith. ——

Whereas it was ignored and held for naught by the said Board of County Canvassers in canvassing the votes of said County and considering the returns of the said Judges of said Election in said Platte Precinct ——

In consideration of the premises your petitioner earnestly requests that a Committee of your Honorable Body may be appointed, with power and instructions to fully investigate and report, ——

Whether Allison H. De France, or your Petitioner is entitled to the said office and the seat now occupied by him in your Honorable Body ——

And your Petitioner will ever pray &c.

Dated, Golden, Col. ——

Nov. 6th 1876 ——

Joseph T. Boyd.

Messrs. Bennett and Moynahan appeared and took their seats.

Mr Meldrum introduced the following resolution.

Resolved.

That a Committee of three be appointed by the Chair to inquire into the alleged grievances set forth in said petition.

That said Committee be empowered to send for persons and papers and take testimony if necessary

But before taking any evidence, at least one days notice shall be given Messrs De France and Boyd of the time and place of taking the same.

That said Committee report as soon as convenient, the result of their labors with such recommendations as in their judgment is proper.

Mr Meldrum moved to adopt the resolution

Mr Gausson moved.

To postpone action on the resolution 'till to-morrow.

Mr Clelland moved.

To further postpone action and make the consideration of the resolution a Special Order for Wednesday morning at 10 O'clock

Carried.

So the Resolution was made the Special order for Wednesday morning.

Mr. Bennet moved,

That S.B. No. 1. be indefinitely postponed

Carried.

Mr. Butters moved,

That the Senate adjourn until to-morrow at 10 A.M.

Carried

So at 3 P.M. the Senate adjourned.

Journal of the Senate

Sixth Day

November 7th 1876

Approved:

General Assembly of Colorado

Senate
First Session
Sixth Day

November 7th 1876

Senate met pursuant to adjournment —
Lieutenant Governor presiding —
Roll Call. —
Absent - Messrs. Barela, Chacon, Haynes and Taylor —
Quorum present —
Prayer by the Chaplain —
Journal of yesterday read, corrected and approved. —
Messrs Barela, Chacon and Haynes appeared and took their seats. —
The President resumed the Chair. —
Mr. Rockwell moved. —
That the Secretary be instructed to furnish Mr De France with copies of Petition and Resolution relating to contest of seat for Seventh (7th) Senatorial district. —
Carried. —
Mr Maxwell from the Committee on Rules asked that the Committee be excused from further attendance upon

this mornings session. ——

Committee excused. ——

Mr Hessone from Committee on Joint Rules made a similar request ——

Committee excused. ——

Mr Hamill offered the following Resolution. ——

Resolved, ——

—— That the Senate inform the House that in accordance with the provisions of law, it will be ready to meet in Joint assembly at 10 30 a.m. of this day for the purpose of electing 3 Electors for President and Vice President of the United States, and that the House indicate to the Senate its willingness to meet in said Joint assembly. ——

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver, Nov. 7th 1876.

To the Honorable, ——

The Senate of the State of Colorado ——

—— I am instructed to inform your Honorable Body, that the House is waiting the presence of the Senate in this Hall for the purpose of proceeding to the selection of Presidential Electors.

Respectfully

W. B. Fellows

Clerk.

Mr Hamill moved.

As a substitute to resolution offered by him, to accept the invitation of the House.

Carried.

So at 10³⁰ a.m. the Senate proceeded to the Hall of the House of Representatives.

Joint Session.

The Senate and House of Representatives met in Joint Convention in the Hall of the latter body at 10³⁰ a.m. on Tuesday, November 7th a.d. 1876.

The following proceedings were had.

The President of the Senate called the Convention to order and stated the object of the Convention.

Roll Call.

Absent – Mr Taylor of the Senate.

Quorum present.

Mr Helm moved.

That the Convention proceed to the appointment by ballot of Electors in the Electoral College. ——

Carried ——

The following named gentlemen were placed in nomination. ——

By Mr Simmons — William L. Hadley.
By Mr Laraquite — Miguel A. Otero
By Mr Meldrum — Herman Beckurts
By Mr Adams — Adair Wilson
By Mr Henson — Otto Mears.
By Mr Irwin — J. Harry Jones

Mr Simmons moved. ——

That the Convention vote for three Electors on one ballot ——

Carried. ——

Mr Henson moved. ——

The appointment of three Tellers ——

Carried. ——

The President appointed ——

Messrs. Henson, Smith & Adams. ——

Ballot was then had with the following result. ——

Herman Beckurts. — Received 50 Votes.
William L. Hadley. — Received 44 Votes.
Otto Mears. — Received 50 Votes.
Miguel A. Otero. — Received 24 Votes.
Adair Wilson — Received 24 Votes.
J. H. Jones. — Received 24 Votes.
W. H. Hadley — Received 1 Vote.

William Hadley. — Received 2 Votes.
William M. Hadley. — Received 3 Votes.
Total Vote cast — 74.

The President then announced that
Herman Beckurts, —
William L. Hadley & —
Otto Mears. —
having received, respectively, a majority of all the votes cast, in the Joint Convention are hereby declared duly appointed as Electors of President & Vice President of the United States in the Electoral College for the State of Colorado. —

Certificates showing such appointment were then signed by the Presiding Officer & countersigned by the Secretary of the Senate in the presence of the Joint Convention. —

Mr Bennet offered the following resolution —

Resolved. —

— That in fitting recognition of the Veterans & disabled Soldiers of Colorado, this Convention recommends the selection by the Electoral College when it meets of Louis Dugal an honorable and disabled Union Soldier as the Messenger to bear the vote of Colorado, for President and Vice President, to the Federal Capital in pursuance of law.

Mr Moorhouse moved

To adopt the Resolution.

Carried.

So the Resolution was adopted

Mr Bennet moved.

That the Joint Convention do now disolve.

Carried.

So at 11^{30} a.m. the Senate returned to the Senate Chamber and resumed ile Session

Mr Rockwell from Special Committee on S. B. No: 2. reported as follows.

To the Honorable

The President of the Senate of the State of Colorado.

Your Committee to whom was refered Senate Bill No. 2. respectfully report that they have had the same under consideration and have agreed to report the following bill as an amendment thereto

Respectfully Submitted
L. C. Rockwell
Chairman

Report received and
On motion of Mr Bennet.
S. B. No. 2. Ordered printed.
Mr Henson moved.
That the Senate adjourn until to-morrow at 10 a.m.
Carried.
So at 12 M. the Senate adjourned.

Journal of the Senate.

Seventh Day

November 8th 1876.

approved

General Assembly of Colorado.

Senate

First Session.

Seventh Day

November 8th 1876.

Senate met pursuant to adjournment —
President in the Chair —
Roll Call —
Absent - Messrs. Meyer, Randall and Taylor. —
Quorum present. —
Prayer by the Chaplain —
Mr Randall appeared and took his seat
Journal of yesterday read and approved —

Special Order.

The Senate proceeded to the consideration of Resolution relative to Contest for the seat of Senator of the 7th Senatorial District. —

Resolution read. —

Mr De France presented the following protest, which was read viz. —

State of Colorado

Senate Chamber

To the Honorable,
The Senate of the State of Colorado. —

In the matter of the Election petition of Joseph T. Boyd, claiming the right to be seated in your Honorable Body as the duly elected member from the Seventh Senatorial District.

The undersigned, sitting member from said District respectfully protests against such action by your Honorable Body, as contemplated in and by said petition and states therein, his grounds of protest.

1st - There is a statutory law of this State, prescribing the method of proceeding in such cases, which is sought to be ignored in and by said petition and has not in any particular been complied with by the said Joseph T. Boyd or by any Elector of said district.

2nd - That no notice hath been given to, or served upon the undersigned, that his right to a seat in your Honorable Body as a member thereof from the Seventh Senatorial District of said State would be contested nor had he any notice whatever of such contemplated contest prior to the introduction of said petition in your Honorable Body.

3rd - If however, it should be considered and adjudged by your Honorable Body, that no such Statutory Law exists, then, being without any Standing Rule or Rules upon the subject your Honorable Body, before taking any action upon said petition, ought to prescribe by rule or otherwise, the method of proceeding in such cases to the end, that justice may be subserved.

4th - That the said petition and the matters and things therein stated and set forth are not sufficient in point of fact to entitle the same to any consideration in your Honorable Body, or to justify any action thereon.

5th - The said Joseph T. Boyd who is in and by said petition seeking to be seated in this Honorable Body, as the member thereof from said district is under the provisions of the Constitution of Colorado, disqualified from being a member of your Honorable Body, for the reason that he is possession of and continues to hold an office under the said State of Colorado, to wit — The Office of Manager of the Penitentiary of said State and is enjoying the profits and emoluments thereof; there being three managers of such Penitentiary, and he the said Joseph T. Boyd being one of said managers —

In support of the matter herein contained the affidavit of the undersigned is hereto attached and in the interest of Economy your Honorable Body is earnestly solicited to investigate this particular matter before incurring any expense upon the matters contained in said petition. —

All of which is respectfully submitted and presented by the undersigned who neither admits nor denies any of the matters or things in said petition set forth and alleged but reserves all and all manner of benefit, advantage or exception which may be had or taken thereto. —

Allison H. De France.

State of Colorado. } ss.
County of Arapahoe }

Allison H. De France.
being first duly sworn on his oath says That the matters and things set forth and alleged in the Fifth Subdivision of the foregoing protest by him subscribed, is as he is informed and verily believes true in substance and in fact.

Allison H. De France

Subscribed and sworn to before me this 8th day of November AD 1876.

John L. Jerome
Notary Public

Seal.

Mr Meyer appeared and took his seat.
Resolution adopted

The President appointed as such Special Committee

Messrs. Meldrum, Haynes and Hill.

Mr Henson from the Committee on Joint Rules made the following report

Senate Chamber
November 8th 1876.

To
The President of the Senate.

Your Committee on Joint Rules beg leave to report that they have conferred with a like Committee of the House and recommend the adoption of the Joint Rules, herewith transmitted.

Respectfully
Henry Henson
Committee

Report received.

Mr Rockwell offered the following resolution.

Resolved:

That J. T. Boyd have the privilege of this floor during his contest to consult with the Committee and procure the means of bringing his evidence before the same.

Mr De France moved

To amend by allowing J. T. Boyd the use of the floor in person or by Counsel.

Division called for.

Ayes. - 5

Noes. - 12.

So the Amendment was lost.

Mr Bennett moved

To Amend. by striking out of the original resolution all after the word "Contest" and insert the words "for a seat in this body".

Amendment adopted.

The question recurring on the adoption of resolution as amended it was

adopted.

Mr Meldrum moved.

That the Assistant Enrolling Clerk be sworn in

Carried.

The oath of office was then by the President administered to

Mrs E. M. Chase as Assistant Enrolling Clerk.

Mr Rockwell moved.

That S. B. No. 2 be made the Special Order for to-morrow morning at 10 am.

Carried.

Mr Hamill moved

That the Senate adjourn until to-morrow at 10 a.m.

Carried.

So the Senate at 11^{40} a.m. adjourned.

Journal of the Senate

Eighth Day

November 9th 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Eighth Day
November 9th 1876

Senate met pursuant to adjournment

President in the Chair

Roll Call

Absent - Messrs. Bates, Bennet and Taylor

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved

Messrs Bates and Bennet appeared and took their seats.

Special Order

The Senate proceeded to the consideration of Senate Concurrent Resolution No. 1. relative to revision of the Statutes

The question being upon the adoption of the Resolution it was.

Lost.

Special Order

The Senate proceeded to the consideration of S. B. No 2.

Mr. Rockwell moved;

That the Senate do now resolve

itself into the Committee of the
Whole on S. B. No 2.

Carried.

Mr De France called to the Chair.

The Committee rose and reported
as follows

Mr President

Your Committee of the Whole
House have had under consideration
S. B. No 2, have made some progress
and ask leave to sit again.

A. H. De France
Chairman.

Mr Maxwell moved.
To adjourn until 2 P.M.

Carried.

So at twelve O'clock and Fifteen minutes
the Senate adjourned.

Afternoon Session.

Senate met pursuant to adjournment.

President in the Chair

Roll Call.

Absent - Messrs. Barela, Bates,
Henson, Maxwell and Taylor

Quorum present.

Mr Ellsworth moved.

That the Senate do now resolve itself into Committee of the Whole on S. B. No. 2.

Carried.

Mr De France in the Chair.

Messrs. Maxwell, Barela and Henson appeared and took their seats.

The Committee of the Whole rose

Mr Randall moved.

That when the Senate adjourns, it adjourns until to-morrow morning at 9 O'clock.

Carried.

Mr Maxwell from the Committee on Rules made the following report.

Senate Chamber

November 9th 1876.

To

The President of the Senate

Your Committee on Rules beg leave to report that they have prepared a system of rules for the government of the Senate and herewith transmit the same, recommending their adoption.

Respectfully

James P. Maxwell

Chairman

Report received and Read.

Mr Ellsmith moved.

That the Senate and Joint Rules as reported be printed

Carried

Report of the Committee of the Whole.

Mr. President

The Committee of the Whole have had under consideration S. B. No. 2, and have instructed me to report the same to the Senate with sundry amendments as herewith transmitted and recommend the passage of the bill, with said amendments

Respectfully
A. H. De France
Chairman

Mr Rockwell moved.
That the report be adopted
Carried.
Mr. Bennet moved.
That S. B. No 2, be ordered engrossed and placed on file for 3rd Reading
Carried.
Mr Ellsworth moved.
To accept a verbal invitation, extended to the Senate, by Col James Archer, to visit the Denver Water and Gas Works.
Carried.
Mr Randall moved.
That the Senate adjourn

Carried —

So at 4 P.M. the Senate adjourned. —

Journal of the Senate.

Ninth Day.

November 10th 1876

Approved.

General Assembly of Colorado.

Senate

First Session

Ninth Day

November 10th 1876.

Senate met pursuant to adjournment.
President in the Chair. ——————

Roll Call. ——————

Absent.- Messrs. Barela, Bennet, Butters
De France, Hall, Maxwell,
Meyer, Randall, Saunders and Taylor.

Quorum present. ——————

Prayer by the Chaplain. ——————

Journal of yesterday read and approved ——————

Mr Barela appeared and took his seat. ——————

Mr Gardner asked leave of absence until to-morrow, which was ——————
Granted. ——————

Mr Clelland asked leave of absence for Mr Hamilton until Monday, which was — Granted. ——————

Mr Maxwell appeared and took his seat. ——————

Mr Rockwell moved. ——————
That S. B. No. 2, be read 3rd time and

put upon its passage:
Carried.

S. B. No. 2. was read a 3d time, and passed by the following vote

Ayes- Messrs. Barela. Bates. Chacon. Clelland, Ellsworth. Gunnison, Hamill, Hamilton, Haynes Henson. Hill. Johnson. Maxwell. McAdam, Moynahan. Randall, Rockwell, and Webster- 18

Nays- None.

Title agreed to.

Messrs. Butters, Meyer and Randall appeared and took their seats

Mr Ellsworth moved.
That the Senate adjourn until 1^{30} P.M.

So at 9^{30} A.M. the Senate adjourned.

Afternoon Session.

Senate met pursuant to adjournment.

President in the Chair.

Roll Call.

Absent - Messrs. Bates, Gardner, Hamilton, Meyer and Saunders.

Quorum present.

Mr Barela moved:

That Mr Taylor Senator elect from the 17th Senatorial District be sworn in.

Carried.

Thereupon the President administered the prescribed oath of office to Mr Taylor.

Mr De France offered the following Petition and Resolution which were read as follows viz

To the Honorable
The Senate of the State of Colorado.

The Respondent in the Contested Election Case from the 7th Senatorial District most respectfully represents unto your Honorable Body, that he appeared before the Committee of the Senate heretofore appointed to investigate the matters at issue between the petitioner and the respondent, this morning, and asked leave to file an answer to the said petition in which said answer he proposed to set up such facts as would have led to a full investigation of the Election in said Senatorial District, so as to show to said Committee, and the Senate, who in fact had received a majority of the legal votes cast in said Senatorial District at the Election held October 3d A.D. 1876. but that the Committee decided that respondent in his answer, which they gave him leave to file should be confined to the specific charge made in such petition and that they were limited under the resolution of your Honorable Body to an investigation of the votes cast at the precinct named in said petition above.——

Respondent therefore prays that the authority of said Committee be extended so as to confer upon the Committee the right to make a full investigation of the Election so held in said Senatorial District, so far as it may be deemed necessary to show whether the Petitioner or the Respondent is entitled to represent said District upon this floor.

Respectfully
A. H. De France.

Resolution.

Resolved,

That the Committee to whom was referred the matter of contest between Joseph T. Boyd and Allison H. De France for the seat from the 7th Senatorial District, be and they are hereby authorized to make a full, fair and impartial investigation of all matters affecting the right of either contestant or respondent to a seat in this Honorable Body.

Messrs. Bates, Meyer and Saunders appeared and took their seats.

Mr Randall moved.

To adopt the Resolution.

Mr Haynes asked leave of absence until to-morrow morning which was granted.

Mr Rockwell moved.

That further consideration of the resolution be postponed until Monday Nov. 13th at 2 P.M. and that it be made Special Order for that hour— carried.

Mr Hamill from the Special Committee on Standing Committees reported as follows.

Report of
Special Committee on Standing Committees

Mr President

Your Committee appointed to designate the names and number of the Standing Committees of the Senate and to name the membership thereof, beg leave to report the following list of Committees and names of Senators assigned to duty thereon, viz.

Judiciary

Mr Rockwell Chairman and
Messrs. Bennett, Haynes,
Henson, Bates, De France
and Clelland

Finance, Ways and Means.

Mr Butters, Chairman and
Messrs. Bates, Meldrum,
Johnson, Maxwell, Hill
and Clelland

Mines and Mining.

Mr Hamill, Chairman and
Messrs. Henson, Johnson,
Moynahan, Rockwell,

Saunders and Gaussoin.

Education; School and University Lands.

Mr Maxwell, Chairman and Messrs. Ellsworth, Haynes Randall and Hill.

Incorporations and Railroads.

Mr Ellsworth, Chairman and Messrs. Bennet, Hall, Rockwell, Saunders, Barela, and Gaussoin.

Public Lands.

Mr Randall, Chairman and Messrs. Bennet, Haynes Meldrum, Saunders, De France and Hill.

Agriculture and Manufactures.

Mr Gardner, Chairman and Messrs. Chacon, Hall, Moynahan and Hamilton

Stock.

Mr Meyer, Chairman and Messrs. Butters, Hall, Hamilton and Taylor.

Fees and Salaries.

Mr Haynes, Chairman and
Messrs. Johnson, Meldrum
Rockwell, Saunders,
Clelland and Hamilton

Irrigation

Mr Bennett, Chairman and
Messrs. Gardner, Hall,
Haynes, Maxwell,
Meyer and Barela

Immigration

Mr Saunders, Chairman and
Messrs. Bennett, Johnson,
Maxwell and Hamilton

Elections

Mr Haynes, Chairman and
Messrs. Bennett Gardner,
Randall and Hill

State Institutions and Public Buildings.

Mr Baker Chairman and
Messrs. Haynes, Maxwell,
Clelland and Taylor

Counties and County Lines.

Mr Hall, Chairman and
Messrs. Johnson, Moynahan,
Meyer and De France —

Roads and Bridges —

Mr Henson Chairman, and
Messrs. Chacon, Hall
Moynahan and Taylor —

Military Affairs —

Mr Meldrum, Chairman and
Messrs. Ellsworth, Hamill,
Moynahan and Barela —

Indian Affairs —

Mr Chacon, Chairman and
Messrs. Henson, Meyer,
Gausson and Taylor —

Penitentiary —

Mr Moynahan, Chairman, and
Messrs. Bates, Randall,
Clelland, and De France —

Federal Relations —

Mr Brunet, Chairman and
Messrs. Moynahan and
Saunders —

Engrossment.

Mr Maxwell, Chairman and Messrs. Saunders and De France.

Enrollment.

Mr Johnson, Chairman and Messrs. Gardner and Hill.

Printing.

Mr Johnson, Chairman and Messrs. Hall and Taylor.

Respectfully submitted.
William A. Hamill
Chairman.

Mr Meyer moved. —

That the Report be adopted, and the Committees as reported be the Standing Committees of the Senate. —

Carried. —

Mr Rockwell moved. —

That the Senate now resolve itself into the Committee of the Whole on Rules of the Senate and Joint Rules of Senate and House of Representatives —

Carried. —

Mr Henson called to the Chair. —

The Committee of the Whole rose and

The Senate resumed its Session for the purpose of receiving following

Message from the House.

State of Colorado.
Chamber of the House of Representatives
Denver Nov. 10th 1876.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House has adopted the Joint Rules for the Senate and House of Representatives herewith transmitted and ask the concurrence of the Senate therein.

Respectfully
W. B. Fellows
Chief Clerk

The Senate again resolved itself into the Committee of the Whole Mr Henson in the Chair

The Committee of the Whole rose and reported as follows.

Mr President

Your Committee of the Whole have had under consideration the proposed Senate Rules and Joint Rules for the Senate and House of Representatives have made some progress and ask leave to sit again.

Respectfully
Henry Henson
Chairman

Mr Williams moved.
That report be received and request granted
Carried.
Mr Hamill moved
That the Senate adjourn until Monday Nov. 13th at 10 a.m.
Division called for.
Ayes. 5
Noes. 12.
So the motion was Lost.
Mr Saunders moved.
That the Senate adjourn until tomorrow at 10 a.m. Carried.
So at 5 P.M. the Senate adjourned.

Journal of the Senate

Tenth Day.

November 11th 1876.

Approved.

General Assembly of Colorado.

Senate
First Session.
Tenth Day
November 11th 1876.

Senate met pursuant to adjournment—
President in the Chair.—
Roll Call.—
Absent.—Messrs. Gardner, Hamilton and Haynes (excused) and Hamill Rockwell and Taylor.—
Quorum present.—
Prayer by the Chaplain.—
Journal of yesterday, read, corrected and approved.—
Messrs. Haynes and Taylor appeared and took their seats.—
Mr Bennet moved.—
That the Journal of yesterday be amended by striking out the Protest of Mr De France, and making brief allusion thereto.—
Motion withdrawn.—
Mr Meldrum asked leave of absence for Mr Haynes, Mr Hill and himself for the purpose of holding a Special Session of Committee on Contested Elections.—

Granted.

Mr Butters moved.

That the invitation of Col James Archer to visit the Denver Water and Gas Works, the House concurring herein, be accepted for this afternoon and that the Secy. be instructed to notify the House and also Col Archer of the action of the Senate

Carried.

Mr Butters moved.

That the Senate now resolve itself into the Committee of the Whole on Rules of the Senate and Joint Rules of Senate and House of Representatives.

Carried

So the Senate went into Committee of the Whole with

Mr Henson in the Chair.

The Committee of the Whole rose and The Senate resumed its Session for the purpose of receiving the following

Message from the House.

State of Colorado.
Chamber of the House of Representatives
Denver Nov. 11th 1876.
To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has concurred in the action of the Senate in fixing the hour of 2 P.M. of to-day as the time of visiting the Water Works.

Respectfully
W. B. Fellows
Chief Clerk

The Senate again resolved itself into the Committee of the Whole Mr Hanna in the Chair

The Committee of the Whole rose and reported as follows

Mr President

—— Your Committee of the Whole have had under consideration the proposed Senate Rules and Joint Rules for the Senate and House of Representatives, have made some progress and ask leave to sit again. ——

Respectfully ——
Henry Henson ——
Chairman ——

Mr Butters moved. ——
That report be received and request granted ——
Carried. ——

Mr Butters moved. ——
To adjourn until Monday morning at 10 O'clock ——
Carried, ——

So at Twelve O'clock and Forty minutes the Senate adjourned ——

Journal of the Senate.

Eleventh Day

November 13th 1876

Approved.

General Assembly of Colorado.

Senate.

First Session.

Eleventh Day.

November 13th 1876.

Senate met pursuant to adjournment
President in the Chair.

Roll Call.

Absent. - Messrs. Barela, Bates, De France
Hamill, Haynes and Maxwell.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday Nov. 11th read, corrected and approved.

Messrs. Haynes, De France and Maxwell
appeared and took their seats.

Mr Butters moved.

That leave of absence be granted Mr
Ellsworth for to-day.

Carried.

Mr Maxwell moved,

That the Senate now resolve itself into
the Committee of the Whole on Rules
of the Senate and Joint Rules of
Senate and House of Representatives
and that all papers pertaining to the
same.

be referred to that Committee

Carried

Mr Henson in the Chair.

Messrs. Hamill and Barela appeared and took their seats

The Committee of the Whole rose and reported as follows.

Mr President

Your Committee of the Whole have had under consideration the proposed Senate Rules and Joint Rules for the Senate and House of Representatives and have instructed me to report the same to the Senate with sundry amendments as herewith transmitted and recommend the adoption of the Rules with such amendments.

Respectfully
Henry Henson
Chairman

Report received.

Mr Bennet moved.

That the amendments as reported be adopted.

Carried.

Mr Butler moved.

That the Rules for the Government of the Senate and Joint Rules for the Senate and House of Representatives, as amended be adopted.

Carried. ——

Mr Bennett moved, ——

That the Senate concur in the action of the House in amending Joint Rules and ask concurrence of the House in sundry amendments proposed by the Senate ——

Carried. ——

Mr Butters moved ——

That the Senate now proceed to election of Committee on Rules. ——

Carried. ——

Mr De France asked leave of absence for remainder of morning session. ——

Granted. ——

The Senate then proceeded to the nomination of members of that Committee and the following named gentlemen placed in nomination. ——

By Mr Haynes. —— Mr Maxwell. ——
By Mr Butters. —— Mr Haynes ——
By Mr Maxwell —— Mr Butters ——
By Mr Bennett. —— Mr Williams. ——

Mr Bennett moved, ——

That Messrs Maxwell, Haynes, Butters and Williams be declared duly elected by acclamation and that they, with the President of the Senate pro tempore constitute the Senate Committee on Rules

Carried. ——

Mr Bennett moved.

That the Senate take a recess until 2 P.M.

Carried.

So at 11 35 am the Senate took a recess

Senate met at 2 P.M.

President in the Chair

Quorum present

Special Order

The Senate proceeded to the consideration of Petition and Resolution of A H De France relative to contest for the seat of Senator of the 7th Senatorial District

Resolution read.

Messrs Barela and Bennett appeared and took their seats.

Mr Rockwell moved.

That the Resolution and Motion to adopt the same, be laid on the Table until the answer of the Respondent be read.

Carried.

The Respondent A. H. De France then read his answer to Petition of Joseph T. Boyd in the matter of the contest for seat as Senator from 7th district.

Mr De France moved.

That his answer as Respondent be filed.

Mr Bates appeared and took his seat.

Mr Butters moved,

To postpone further consideration of the subject until to-morrow at 10 am.

Carried.

Mr Butters moved

To adjourn until to-morrow morning at 10 O'clock

Carried

So at 3 40 P.M. the Senate adjourned.

Journal of the Senate

Twelfth Day

November 14th 1876

Approved.

General Assembly of Colorado.

Senate.

First Session

Twelfth Day

November 14th 1876.

Senate met pursuant to adjournment—President in the Chair.

Roll Call.

Absent.—Messrs. Chaconi, Ellsworth, Henson, Randall and Taylor.

Prayer by the Chaplain.

Messrs. Chaconi, Henson, Randall and Taylor appeared and took their seats—

Mr Butters asked,

That leave of absence be granted Mr Ellsworth until 11 O clock.

Granted.

Journal of yesterday read, and corrected

Mr De France moved.

That the answer of himself as Respondent be spread upon the Journal of yesterday.

The President decided that a motion to correct the Journal by spreading matter which had been objected to out of order, and

Declared the Journal approved.

Special Order.

The Senate proceeded to the consideration of Petition and Resolution of A. H. De France relative to contest for the seat of Senator of the 7th Senatorial district — Mr Ellsworth appeared and took his seat. The question being upon motion to file the Answer of Respondent the ayes and Noes were demanded and motion carried by the following vote —

Ayes. — Messrs. Barela, Butters, Clelland, Gardner, Gaussoin, Hull, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meyer, Randall, Rockwell, Saunders, Taylor and Webster — 18.

Noes. — Messrs. Bates, Bennet, Chacon, Meldrum and Moynahan — 5.

Absent, Excused and not voting, Messrs. De France, Ellsworth and Hamill — 3.

Mr Rockwell moved.

That the Resolution be taken from the table

Carried.

Resolution read.

The question being upon its adoption it was.

Lost. ___

Mr Rockwell moved, ___

That the Special Committee to whom was referred the matter of contest in the 7th Senatorial District be now discharged. ___

Carried. ___

Mr Rockwell moved. ___

That the matter of contest in the 7th Senatorial District to Hon. A. H. De France's right to a seat in this body be referred to the Standing Committee on Elections, with power to send for persons and papers. ___

The Committee shall hear evidence in relation thereto without replication on the part of Mr Boyd to said answer. ___

Mr Haynes moved. ___

To amend as follows ___

That the Committee be empowered to regulate the time to be given to each party for the examination of witnesses adduced by them and to limit the whole time to taking testimony and the order in which it shall be taken.

Amendment adopted. ___

The question being upon the motion as amended it was. ___

Carried

The matter was then referred to the Standing Committee on Elections.

Mr Bennet offered the following resolution.

Resolved.

That the Senate do now proceed to the election of two persons for United States Senators for the State of Colorado and to that end that the elections be had for one Senator at a time and be had viva voce according to law.

Resolution adopted.

The Senate then proceeded to the election of Two United States Senators for the State of Colorado.

Nominations being in order.

Mr Hamill nominated Jerome B. Chaffee of Arapahoe County.

Mr Ellsworth nominated Thomas Macon of Fremont County.

There being no further nominations the roll of Senators was called and the vote of the Senate was recorded as follows.

Senators - Bates, Bennet, Button, Cleacon, Ellsworth, Gardner, Hall

Hamill, Haynes, Henson, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Rockwell, Saunders and Webster — 19 — voted for Jerome B. Chaffee.

Senators - Barela, Cleland, De France, Garrison, Hamilton, Hill and Taylor — 7 — voted for Thomas Macon.

The result of the said vote was duly declared by the President; and

Nominations being in order.

Mr Maxwell nominated Henry M. Teller of Gilpin County.

Mr De France nominated William A.H. Loveland of Jefferson County.

There being no further nominations the roll of Senators was called and the vote of the Senate was recorded as follows.

Senators - Baker, Bennet, Butters, Chacon, Ellsworth, Gardner, Hall, Hamill, Haynes, Henson, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Rockwell, Saunders and

Webster — 19 — voted for Henry M. Teller.

Senators – Barela, Clelland, De France, Gausson, Hamilton, Hill and Taylor — 7 — voted for William A. H. Loveland

The result of the said vote was duly declared by the President

Mr Meldrum moved

To take a recess until 2 P.M.

Carried.

So at Twelve O'clock and Fifteen minutes the Senate took a recess

Senate met at 2 P.M.

President in the Chair.

Quorum present.

Message from the House.

State of Colorado

Chamber of the House of Representatives

Denver Nov. 14th 1876.

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has concurred in the Senate's amendments to "Joint Rules for the Senate and House of Representatives"

Respectfully
W. B. Fellows
Chief Clerk of the House

Mr Butler moved.
That the Rules for the government of the Senate and Joint Rules for the Senate and House of Representatives be printed. Carried

Message from the House.

State of Colorado.
Chamber of the House of Representatives.
Denver Nov. 14th 1876.

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed Substitute for H. B. No. 2, herewith transmitted, and ask the concurrence of the Senate therein

Respectfully
W. B. Fellows

Chief Clerk of the House.

Mr Butters moved

That Subst. H. B. No 2 be read 1st time

Carried

Subst. H. B. No 2. entitled "A Bill for an act to prescribe the number, duties and compensation of the Officers and Employees of each House of the General Assembly." read 1st time

Mr Maxwell moved.

That the list of Standing Committees of the Senate, the Rules of the House and list of Standing Committees of the House be printed in connection with Rules for the Government of the Senate and Joint Rules for the Senate and House of Representatives

Carried

Mr Maxwell moved

That the Senate adjourn

Carried

So at 2 25 P.M. the Senate adjourned.

Journal of the Senate.

Thirteenth Day

November 15th 1876

Approved.

General Assembly of Colorado.

Senate

First Session

Thirteenth Day

November 15th 1876.

Senate met pursuant to adjournment—
President in the Chair. ——

Roll Call. ——

Absent—Messrs. Bates, Meyer & Taylor

Quorum present. ——

Mr. Ellsworth asked. ——

That leave of absence be granted Mr. Bates until 12 O'clock ——

Granted. ——

Prayer by the Chaplain. ——

Mr Taylor appeared and took his seat. ——

Journal of yesterday read & approved.—

Mr Clelland offered the following resolution. ——

Resolved. ——

—— By the Senate, the House of Representatives concurring, that the following Committees be appointed each to consist of Two Members from the Senate and three members from the House who shall visit the

Penitentiary at Cannon City, the Deaf Mute Institution at Colorado Springs, the Colorado University at Boulder City and the School of Mines at Golden City and report to this Joint Body at an early day —

Subt. H. B. No. 2. read 2nd time —
Mr Bennet moved —
That Subt. H. B. No. 2. be referred to Committee on Fees and Salaries. —
Carried. —
Mr Bennet moved. —
That 1000 copies of the Governors Message and accompanying Documents be printed for use of the Senate. —
[illegible]
Mr Barela moved —
To amend by providing for printing 500 copies in the Spanish language —
Division called for and amendment adopted by following vote —
Ayes. 13, —
Noes. 7, —
The question being upon the motion as amended —
Division called for and motion adopted by following vote —
Ayes. 13, —

Noes 2

So the resolution was adopted.

Message from the House.

State of Colorado.
Chamber of the House of Representatives
Denver, Nov. 14th 1876

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed S. B. No. 2, amended as follows: In section 1, change the date "1879" to "1881"
In Section 2, In the third line change the word "opening" to "receiving"
And the concurrence of the Senate is asked therein.

Respectfully
W. B. Felton
Chief Clerk of House

Mr Bennett moved
That the Senate concur in the House amendment to Sec. 1 of S. B. No. 2, changing the date "1879" to "1881"

Message from the House.

State of Colorado.
Chamber of the House of Representatives.
Denver, Nov. 15th 1876

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has adopted H. C. R. No. 2, herewith transmitted and ask the concurrence of the Senate therein.

Respectfully
W. B. Fellows
Chief Clerk of the House

Resolution

Resolved,

That the House Committee on Printing, the Senate concurring be and the same is hereby authorized and instructed to have Two Hundred Copies of each Bill and important amendments to all Bills printed for the use of the members of this General Assembly

---

The question recurring on the motion of Mr Bennet to concur in House amendment to Sec. 1 of S. B. No. 2. It was adopted by the following vote

Ayes.— Messrs. Barela, Bennet, Butters, Chacon, Ellsworth, Gardner, Gausman, Hamill, Haynes, Johnson, Maxwell, Randall, Rockwell & Saunders. — 14. —

Noes.— Messrs. Clelland, De France, Hall, Hamilton, Henson, Hill, Meldrum, Moynahan, Taylor and Webster — 10. —

So the motion was adopted.

Mr. Bennet moved.

That the Senate concur in House amendment to Sec. 2 of S. B. No 2, in striking out the word "opening" and inserting in lieu thereof the word "receiving". —

The ayes and noes being called the motion was adopted by the following vote:

Ayes.— Messrs. Barela, Bennet, Butters, Clelland, Ellsworth, Gardner, Gausman, Hall, Hamill, Hamilton, Haynes, Henson, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders and Webster — 20. —

Noes. - Messrs. Cheacon, De France, Hill and Tayler ——— 4. —

Mr Bates appeared and took his seat. —

Mr Haynes appealed from the decision of the Chair. ———

That in the final action of the Senate upon a Bill for an act to take effect upon its passage which has once passed the Senate and returned from the House passed with an amendment (the final action of the Senate to be on the concurrence of the Senate to such amendment before it becomes a law) it is not necessary that two-thirds of all the Senators are required to vote for such amendment, ———

The question being shall the decision of the Chair be sustained. and stand as the decision of the Senate ———

Division called for and Chair sustained by the following vote. ———

Ayes 18. ———

Noes. 4. ———

Mr Rockwell moved. ———

To reconsider the vote whereby the Senate concurred in House amendment to Sec 1. of S. B. No. 2. ———

Division called for, and motion adopted by following vote

Ayes 18.

Noes. 6

The question being on the motion to concur in House amendment to Sec. 1 of S. B. No. 2.

Mr DeFrance moved.

To postpone further consideration of the same until to-morrow at 2 P.M.

Lost.

Message from the House.

State of Colorado

Chamber of the House of Representatives.

Denver Nov. 15th 1876

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House will be ready to receive the Senate in Joint Convention at 12 O'clock M. for the purpose of reading the Journals of the two Houses so far as they relate to the vote yesterday upon an election of two U. S. Senators for the State of Colorado.

Respectfully

W. B. Fellows

Chief Clerk of the House.

The Senate then concurred in House amendment to Sec. 1 of S. B. No. 2. by the following vote.

Ayes—Messrs. Bates, Bennett, Butler, Ellsworth, Gardner, Garrison, Hall, Hamill, Haynes, Henry, Johnson, Maxwell, McAleer, Moynahan, Randall, Rockwell, and Saunders. — 17.

Noes.—Messrs. Barela, Cleaver, Clelland, De France, Hamilton, Hill, Taylor and Webster — 8

Mr Rockwell moved,
That the Senate now proceed to the Hall of the House of Representatives, in accordance with the invitation of the House

Carried

So at 12 O'clock M. the Senate proceeded to the Hall of the House of Representatives

Joint Convention.

In pursuance of law, the two Houses, of the General Assembly of the State of Colorado, met in Joint Convention in the Hall of the House of Representatives on Wednesday, the 15th day of November. A.D. 1876 at 12 M.

The President pro tempore of the Senate being the Presiding Officer of the Joint Convention.

The Roll was called.

Absent.—Mr Meyer of the Senate.
Mr Laraquette and Mr Ransom
of the House.

Total number present — 72.

25 Senators and

47 Members of the House of Representatives

There being a quorum present.

The President of the Joint Convention stated the object of the convention to wit

To hear the reading of the Journals of the two Houses of yesterday relating to the election of United States Senators for the State of Colorado, which proceedings were recorded in the Journals of each House on the Second Tuesday after the meeting of the General Assembly, to wit.

On the 14th day of November AD 1876 The Secretary of the Senate then proceeded to read the Journal of the Senate as follows.

Mr Bennet offered the following resolution

Resolved.

That the Senate do now proceed to the election of two persons for United States Senators for the State of Colorado. And to that end that the election be had for one Senator at a time and be had viva voce according to law

Resolution adopted.

The Senate then proceeded to the election of Two United States Senators for the State of Colorado.

Nominations being in order.

Mr Hamill nominated Jerome B. Chaffee of Arapahoe County

Mr Welland nominated Thomas Macon of Fremont County.

There being no further nominations.

the roll of Senators was called and the vote of the Senate was recorded as follows.

Senators - Baker, Bennett, Butters, Chacon, Ellsworth, Gardner, Hall, Hamill, Haynes, Henson, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Rockwell, Saunders, and Webster — 19 — voted for Jerome B. Chaffee.

Senators - Barela, Clelland, De France, Gaussoin, Hamilton, Hill, and Taylor — 7 — voted for Thomas Macon.

The result of the said vote was duly declared by the President &c

Nominations being in order.

Mr Maxwell nominated Henry M. Teller of Gilpin County.

Mr De France nominated William A. H. Loveland of Jefferson County.

There being no further nominations the roll of senators was called and the vote of the Senate was recorded as follows.

Senators - Baker, Bennett, Butters, Chacon

Ellsworth, Gardner, Hall, Hamill, Haynes, Henson, Johnson, Maxwell, Meldrum, Meyer, Moynahan, Randall, Rockwell, Saunders and Webster — 19 — voted for Henry M. Teller.

Senators – Barela, Clelland, De France, Gaussoin, Hamilton, Hill and Taylor — 7 — voted for William A. H. Loveland.

The result of the said vote was duly declared by the President —
Mr Meldrum moved,
To take a recess until 2 P.M.
Carried —
So at Twelve O'clock and Fifteen minutes the Senate took a recess.

The Acting Clerk of the House then proceeded to read the Journal of the House as follows —

Resolved, ——

—— That the House do now proceed to the election of two persons for United States Senators for the State of Colorado, and to that end, that the election be had for one Senator at a time and be had viva voce according to law. ——

Mr Phelps moved ——

That the resolution be adopted. ——

Which motion prevailed. ——

The following nominations for United States Senator were then made. ——

Mr Canfield nominated Jerome B. Chaffee. ——

Mr Rand nominated W. A. H. Loveland. ——

The roll was called and gentlemen voting for Jerome B. Chaffee were —

Alberts, Alford, Archuleta, Canfield, Gotthelf, Green, Griffin, Helm, Kittredge, Kruse, Lake, Leonard, Mayer, Marshman, McBroom, McIntire, Morehouse, Patten, Phelps, Pierce, Rainey, Schinner, Simmons, Smith, Surles, Vigil, Watts, Wilson, Geo. W., Young, W. D. Anthony —— 30. ——

Gentlemen voting for W. A. H.—

Lombard, were. ——

Adams, Chacon, Chavez, Carlile, Esquibel, Irwin, Langford, Laragoita, Lord, Luther, McDermott, McMurray, Moss, Rand, Seiber, Stokes, Wilkins, Wilson and —— 18.

Jerome B. Chaffee having received a majority of the votes of all the members elected to the House was declared by the Speaker to be the choice of this House for United States Senator. ——

For the additional United States Senator ——

Mr Simmons nominated Henry M. Teller ——

Mr Wilkins nominated Thomas Macon. ——

The roll was called and gentlemen voting for Henry M. Teller were. ——

Alberts, Alford, Archuleta, Canfield, Gottlieb, Green, Griffin, Helm, Kittredge, Kruse, Lake, Leonard, Mayer, Marshman, McBrown, McIntire, Montaine, Patten, Phelps, Pierce, Rainey, Schinner, Simmons, Smith, Searles, Vigil, Watts, Wilson Geo. W. Young W.D. Anthony —— 30. ——

Gentlemen voting for Thomas Macon were,

Adams, Chacon, Chavez, Carlile, Esquivel, Irwin, Langford, Laragoite, Lord, Luther, McDermitt, McMurray, Moore, Rand, Seiber, Stokes, Wilkins, Wilson

A.D. 18.

Henry M. Teller having received a majority of the votes of all the members elected to the House was declared by the Speaker to be the choice of this House for United States Senator.

Thereupon,

The President of the Convention, said,
From the Journals of the two Houses
it appears.

That Jerome B. Chaffee, received
in the Senate —— 19 Votes and
in the House of Representatives 30 Votes
That Thomas Macon received
in the Senate —— 7 Votes and
in the House of Representatives 18 Votes
for Senators of the United States
for the State of Colorado, and

Declared,

That Jerome B. Chaffee having
received a majority of all the
votes cast in both Houses of the
General Assembly was duly
elected Senator of the United States
for the State of Colorado in the Congress of the United States.

From the Journals of the two Houses
it appears.

That Henry M. Teller received
in the Senate —— 19 Votes and
in the House of Representatives 30 Votes
That William A. H. Loveland received
in the Senate —— 7 Votes and
in the House of Representatives 18 Votes

for Senators of the United States for the State of Colorado. and

Declared.

That Henry M. Teller having received a majority of all the votes cast in both Houses of the General Assembly was duly elected Senator of the United States for the State of Colorado, in the Congress of the United States.

Mr Bennet moved.

That the Secretary of the Senate and of the Joint Convention and the Clerk of the House of Representatives be directed to certify the proceedings of the Joint Convention to His Excellency, the Governor of the State of Colorado.

Carried.

The Joint Convention then upon the motion of Mr Bennet

Dissolved. and

The Senators repaired to the Senate Chamber.

So at Twelve O'clock and Forty minutes the Senate resumed its session.
Mr Maxwell moved.
To adjourn until 2 P.M.
Carried.
So at Twelve O'clock and Fifty minutes the Senate adjourned.

Senate met at 2 P.M.
President in the Chair
Quorum present.
Mr Rockwell asked
Leave of absence for to-morrow's session
Granted.
Mr Butters moved
To adjourn
Carried
So at 2^{30} P.M. the Senate adjourned.

Journal of the Senate

Fourteenth Day

November 16th 1876

Approval.

General Assembly of Colorado.

Senate
First Session
Fourteenth Day
November 16 1876.

Senate met pursuant to adjournment
President in the Chair.

Roll Call

Absent - Messrs. Chacon. De France
Hamill. Meyer. Moynahan and
Rockwell (excused)

Quorum present.

Prayer by the Chaplain.

Mr Moynahan appeared and took his seat.

Journal of yesterday read and approved.

Mr De France appeared and took his seat.

Mr Butler introduced

S. B. No 3. entitled "A Bill for an Act to provide for canvassing the votes for Regents of the University of Colorado"

S. B. No. 3 read 1st time.

Messrs. Chacon and Hamill appeared and took their seats

Mr Bennet moved.

To refer the matter of printing the Govern

Message and accompanying documents to the Standing Committee on Printing —

Carried —

Mr Bennet moved to —

Refer S. B. No 2, to Standing Committee on Enrollment —

Carried —

Mr Haynes moved —

That the Committee on Printing to whom was referred the resolution for printing the Message of the Governor and accompanying documents be instructed to report the probable cost of printing and binding the same, including the cost of Translation into the Spanish Language before the procuring of the printing thereof —

Carried —

S. C. R. No. 1. relative to appointment of Special Committees to visit Public Institutions —

Read —

Mr Butler moved —

To amend by providing for appointment on each committee of one member from the Senate and two members from the House —

Amendment accepted —

Mr Butler moved —

To adopt the Resolution. ———

Mr Maxwell rose to a point of order on the Resolution claiming that the Resolution should take the same course as a Bill. ———

The President decided the point not well taken as the Resolution relates solely to the transaction of business of the two Houses. ———

The ayes and noes were called and the motion to adopt the Resolution lost by the following vote. ———

Ayes.—Messrs. Cleveland, De France, Gaussoin, Hamilton and Hill — 5 —

Noes.—Messrs. Bates, Bennett, Butler, Chacon, Ellsworth, Gardner, Hall, Hamill, Haynes, Henson, Johnson, Maxwell, Meldrum, Moynahan, Randall and Saunders and Webster ——— 17 —

Mr De France asked leave of absence for Mr Barela until Monday next and for Mr Taylor until Tuesday next — Granted. ———

H. C. R. No. 2, Relating to Printing Bills and amendments for this General Assembly. ———

Read. ———

Mr Brunch moved,
That the Senate concur in H. C. R. No 2,
Carried.

Mr Ellsworth moved
To adjourn until To-morrow morning
at 10 O'clock
Carried.

So at 11^{20} a.m. the Senate adjourned

Journal of the Senate

Fifteenth Day

November 17th 1876.

Approved.

General Assembly of Colorado.

Senate.

First Session

Fifteenth Day

November 17th 1876.

Senate met pursuant to adjournment.

President in the Chair.

Roll Call.

Absent.— Messrs. Barela, Rockwell and Taylor (excused) and Meyer.

Quorum present

Prayer by the Chaplain

Journal of yesterday read and approved.

Mr. Johnson from Committee on Printing reported as follows.

State of Colorado
Senate Chamber
Nov. 17th 1876.

To the
President of the Senate

Your Committee on Printing to whom was referred the matter of the Cost of Printing the Governor's Message and accompanying documents beg leave to report that they have investigated the same and

find that it will cost to print
stitch and bind 1000 copies in
Pamphlet form as near as can be
estimated $1000.00

The following will be the matter
contained in the Pamphlet

Governors Message
Auditors Report
Treasurers Report
Supt. of Pub. Instructions Report
Adjutant Generals Report
School of Mines Report
State Board of Health Report
Managers of Penitentiary Report
University of Colorado Report
Agricultural College Report
Deaf Mute Institute Report

The Message and Reports will make
a Pamphlet of about 165 Pages.
To Print 500 copies of the same in
Spanish will cost about $800.00 viz.

Translating and Reading Proof — $200.
Printing, Stitching and Binding — 600.
$800.

2000 Copies in English will cost
about — $1500.
1000 " " Spanish will cost
about — $1200.

Your Committee find that the Auditors Report of last Session of the Legislature for a Pamphlet of 50 Pages

250 copies Cost — $430.38

500 Copies of Governors Message — 79.19

10.000 Copies of State Constitution of 65 Pages — $812.50.

2000 Copies in Spanish Cost—$350.50

All of which is respectfully submitted

Albert Johnson

Chairman

Printing Committee

Mr Johnson from Committee on Enrollment reported as follows

State of Colorado

Senate Chamber

November 17th 1876

To the

President of the Senate

Your Committee to whom was referred S. B. No 2. beg leave to report the same back to the Senate correctly enrolled.

Albert Johnson

Chairman

Mr Haynes from Committee on Fees and Salaries reported as follows-

Senate Chamber
Nov. 17. 1876.

To the
President of the Senate

The Committee to whom was referred "Substitute for House Bill No 2." ask leave to report that they have considered the same and herewith return it to the Senate with certain amendments which they recommend, to wit.

Strike out all the words in Section 2 which precede the word "and" in the second line, and insert in lieu thereof the words. "The said Secretary and Chief Clerk shall each receive six dollars per day and the said Assistant Secretary" also

Strike out the word "who" in the 15th line of the third section, and insert in lieu thereof the words "which interpreter"

Respectfully Submitted
S. B. A. Haynes
Chairman Com. on
Fees & Salaries.

Mr Haynes offered the following

Preamble and Resolution viz

To the end that all the laws now in force be revised, amended and re-established in a concise manner and all necessary laws enacted and codified at this session and that no subject of Legislation be overlooked be it.

Resolved,

That the subjects of Legislation be classified under proper heads and the subjects of each class be referred to an appropriate Standing Committee or Special Committee if necessary and when such refference is made, the Committee be instructed to delibrate, and prepare bills with all convenient diligence and report each bill to the Senate as soon as it shall be prepared and agreed upon in Committee

Mr Butters moved,

To suspend the rules for the purpose of considering the Resolution — Carried.

Mr Hall offered the following as an amendment.

Resolved.

That the present session

of the Legislature will best subserve
the interest of the People of this
State by passing such laws only
as the public exigencies require
and by appointing a Committee to be
composed of eminent legal talent
to devise and report to the next
regular session of the Legislature
upon its organization in 1879 such
system of laws as they may deem
adequate and suitable to the wants
of the people of this State.

Mr. Butters moved,
To strike out the word "legal" in
the Resolution.

Mr. Bennett moved
To refer the whole subject to the
Committee of the Whole House.
Carried.

Mr Bennett moved.
That the Senate do now resolve
itself into Committee of the Whole
on the resolution
Carried. — Mr [illegible] in the Chair.
The Committee rose and the Senate
resumed its session to receive the
following

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Nov. 16 1876.

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has adopted H. C. R. No 3 "In relation to Joint Committee on "the Constitution" herewith transmitted and asks the concurrence of the Senate therein

Respectfully
W. B. Fellows
Chief Clerk of House

Resolution

Resolved.

The Senate concurring that a Committee of Three from the House and Two from the Senate be appointed whose duty it shall be to take the Constitution of this State into consideration and report by bill or otherwise as soon as practicable, what if any, legislation is called for by the Constitution at the hands of the first General Assembly

The Senate again resolved itself into Committee of the Whole.

The Committee of the Whole rose and reported as follows.

The President

The Committee of the Whole House have had under consideration Resolutions and Amendments relating to the classifying and enactment of the laws, and report that they have had the same under consideration, have made some progress and ask leave to sit again.

Respectfully
James Williams
Chairman.

Mr Butler moved,

That report be received and request granted.

Carried.

H. C. R. No. 3, in relation to Joint Committee on the Constitution

Read 1st time.

Mr Bennett moved

To refer H. C. R. No. 3, to Committee of the Whole

Carried

S. B. No. 3, read 2nd time.

Mr Haynes moved,

That S. B. No. 3, be referred to Judiciary Committee

Carried.

Mr Maxwell moved.

To reconsider the vote whereby the Governor's Message and accompanying documents were ordered to be printed

Carried.

Mr. Randall moved

To lay the resolution on the table

Ayes and Noes called and motion adopted by the following vote—

Ayes.—Messrs. Baker, Butters, Clelland, Gardner, Gansson, Hall, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, and Mr Webster, President — 15 —

Noes.—Messrs. Brunt, Cleacoe, DeFrance, Hamill, Hamilton and Saunders — 6.

Mr Haynes moved,

A recess until 2 P.M.,

Carried.

So at 12 M, the Senate took a recess.

Senate met at 2 P.M.
President in the Chair
Quorum present.
Mr Butler moved.
That the President appoint the Joint Committee on Enrollment.
Carried.
The President appointed as members of such Joint Committee, on the part of the Senate.
Messrs. Hamilton and Hall.
Mr Hamill asked leave of absence for Mr Meyer until 28th instant
Mr Saunders moved.
That request be granted
Carried.
Mr Haynes called up Subt. H.B. No. 2.
Unanimous consent being given.
Mr Haynes moved.
That the Senate now resolve itself into Committee of the Whole for consideration of Subt. H.B. No 2, and amendments as reported by Committee on Fees and Salaries
Carried.
So the Senate resolved itself into Committee of the Whole, with
Mr Randall in the Chair
The Committee of the Whole rose, and

the President resumed the Chair for the purpose of receiving the following

Messages from the House.

State of Colorado

Chamber of the House of Representatives.

Denver, Nov. 17th 1876

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed H. B. No 4 " a bill for an Act to repeal Sec. 68 of Chap. 50 and Sections 6 and 7. of Chap. 48. of the Revised Statutes of Colorado relating to the issuing of executions against the body of a defendant in civil actions and to enact other provisions in lieu thereof " and respectfully asks the concurrence of the Senate therein.

Respectfully

W. B. Fellows

Chief Clerk of the House

State of Colorado

Chamber of the House of Representatives.

Denver Nov. 17 1876

To the Honorable

The Senate of the State of Colorado

I am instructed to inform

your Honorable Body that the House has adopted H. C. R. No. 5. In relation to a Joint Committee on Printing the Governor's Message and asks the concurrence of the Senate therein.

Respectfully
W. B. Fuller
Chief Clerk of the House

Resolution.

Resolved,

By the House of Representatives the Senate concurring

That a Joint Committee consisting of two from the House and one from the Senate be appointed to consider the subject of printing the Governor's Message and make such recommendations as they may deem proper in connection therewith.

The Senate again resolved itself into Committee of the Whole.

The Committee of the Whole rose and reported as follows

Mr President

The Committee of the Whole have had under consideration Substitute for H. B. No. 2 and have amended the same as follows.

Strike out all the words in Section 2, in the second line which precede the word "and" and insert in lieu thereof the words "The said Secretary and Chief Clerk shall each "receive six dollars per day and "the said assistant Secretary" In Section 3. line 15, to strike out the word "who" and insert in lieu thereof the words "which Interpreters" Strike out the words "the end of" in line 2 of Sec. 4. and report the bill back to the Senate without recommendations.

Respectfully
E. S. Randall
Chairman

Mr Randall moved.
To adopt the report

Mr Bennet called for division of the question on proposed amendment to Section 2.

Ayes and Noes were called and amendment adopted by the following vote ——

Ayes. - Messrs. Bates, Butters, Clelland, Gardner, Hall Hamill, Hamilton, Haynes Henson, Hill, Johnson, Maxwell, Muldoon, Moynihan, Randall, Saunders and Webster —— 17. —

Noes. — Messrs. Bennet, Cheever, De France, and Garrison — 4 —

The question recurring on the original motion it was. ——

Adopted. ——

Mr Maxwell raised point of order that the amendments are of such a character as to come within the provisions of the Constitution which require their being printed. —

The President decided the point well taken. ——

Mr Bennet appealed from the decision of the President ——

The question being, Shall the decision of the Chair be sustained and stand as that of the Senate. ——

The ayes and Noes were called with following result viz. ——

Ayes.- Bates, Butters, Clelland,
De France, Gardner, Hall,
Hamill, Hamilton, Henson,
Hill, Johnson, Maxwell,
Muldoon, Moynahan and
Webster (President) — 15 —

Noes.- Bennet, Chacon, Gaussoin
Randall and Saunders — 5 —

So the decision of the Chair was sustained.

Mr Bennet moved,

To refer the amendments as reported to Committee on Printing

Carried.

Mr De France asked leave of absence until Monday morning, next.

Granted.

Mr Hamill moved.

To adjourn

Carried

So at 4^{30} P.M. the Senate adjourned—

Journal of the Senate

Sixteenth Day

November 18th 1876.

Approved

General Assembly of Colorado.

Senate
First Session
Sixteenth Day
November 18th 1876.

Senate met pursuant to adjournment.—
President in the Chair.

Roll Call

Absent — Messrs. Barela, De France, Meyer and Taylor (excused) and Hamilton and Rockwell.

Quorum present

Prayer by the Chaplain

Journal of yesterday read and approved.—

Mr Hamilton appeared and took his seat.

Mr Johnson from Committee on Printing reported as follows.

State of Colorado
Senate Chamber
Nov. 18th 1876

To the
President of the Senate

Your Committee to whom was referred amendments to Subt. H.B. No. 2 beg leave to report the same back to the Senate correctly printed

Albert Johnson
Chairman

Mr Hill introduced

S.B. No. 4. entitled "An act, to provide "terms of Court in the Third Judicial "District".

S.B. No. 4. Read 1st time.

H.B. No. 4. entitled "A bill for an Act to repeal Section 68 of Chapter 50 and Sections 6 and 7 of Chapter 48 of the Revised Statutes of Colorado, relating to the issuing of executions against the body of a defendant in Civil actions, and to enact other provisions in lieu thereof."

Read 1st time

Mr Bennet moved.

That report of Committee on Printing be not received.

Lost

Mr Maxwell moved.

That Subt. H.B. No. 2 be re-referred to Committee of the Whole.

Carried.

H.C.R. No. 3 read 2nd time

Mr Bennet moved.

To refer H.C.R. No. 3, to Committee of the Whole

Carried.

H.C.R. No. 5 relative to Joint Committee on Printing the Governor's Message.

Read 1st time

Mr Haynes moved.

To refer H. C. R. No. 5 to Committee of the Whole.

Carried.

Mr Butler moved.

That the Senate now resolve itself into Committee of the Whole on General File.

Carried.

So the Senate resolved itself into Committee of the Whole with Mr Ellsworth in the Chair.

The Committee of the Whole rose and the Senate resumed its session for the purpose of receiving the following

Messages from the House.

State of Colorado

Chamber of the House of Representatives

Denver Nov. 17th 1876

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has adopted H. C. R. No. 4. In relation to Statutes, Stationery and Supplies herewith transmitted and asks the concurrence of the Senate therein —

Respectfully —
W. B. Fellows —
Chief Clerk of the House —

Resolution

Resolved, —

By the House of Representatives, the Senate concurring, that the Secretary of State, without unnecessary delay, furnish for the use of this General Assembly Seventy-five Copies of the Revised Statutes and the same number of the Session Laws of '70, '72 '74 & '76 or so many thereof as are obtainable together with the necessary Stationery and supplies required for the use of members of the two Houses. —

State of Colorado
Chamber of the House of Representatives
Denver Nov. 18th 1876.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has adopted S. for H. C. R. No. 7 in relation to a revision and codification of the Laws and respectfully asks the concurrence of Senate therein

Respectfully
W. B. Fellows
Chief Clerk of the House

The Senate again resolved itself into Committee of the Whole on General File.

The Committee of the Whole rose and reported as follows.

Mr President

Your Committee of the Whole House have had under consideration resolutions relating to the Constitution and Laws, and recommend for the adoption of the Senate Subt. for H. C. R. No. 3, as follows.

Resolved,

That a Joint Committee consisting of Two members of each House be appointed to take into consideration, the Constitution & Laws, and report from time to time to the two Houses what laws are necessary to be enacted at this session, and the best plan of ensuring their enactment. also, have considered the following resolution ——

To the end that all the laws now in force be revised, amended and re-established in a concise manner, and all necessary laws enacted and codified at this Session, and that no subject of legislation be overlooked, be it. ——

Resolved. ——

—— That the subjects of Legislation be classified under proper heads, and the subjects of each class be referred to an appropriate Standing Committee or Special Committee if necessary and where such reference is made, the Committee be instructed to deliberate and prepare bills with all convenient dilligence and report each bill to the Senate as soon as it shall be prepared and agreed upon in Committee! ——

And report it back to the Senate with the recommendation that it do pass. —— also. ——

Report back to the Senate H. C. R. No. 5

considered in Committee with the recommendation that it do pass.

Also.

Have had under consideration Subt, H.B. No. 2, and report as follows to the Senate

That the report of the Committee of the Whole on Subt H.B. No 2 made yesterday be corrected to conform to the action of Committee and recommend that the bill pass as amended

Respectfully
Lewis C. Ellsworth
Chairman

Mr Hamill moved.

That the report of Committee of the Whole be adopted

Carried

Mr Hamilton from the Joint Committee on Enrollment reported as follows.

Senate Chamber
Denver. Nov. 18 1876

Mr President

Your Joint Committee on Enrollment beg leave to report that they have examined S.B. No. 2 with the engrossed copy and find that the same is correctly enrolled, and further, report the same signed by the Speaker of the House of Representatives

W. B. Hamilton
Chairman Joint Committee on Enrollment

The title of the bill was read and the President announced the signing of S. B. No 2.

Mr Bennet moved.

That S. B. No 2 be placed in hands of Enrolling Committee for approval by the Governor. Carried.

Mr Butler offered the following resolution

That Senate resolution for the classification of the Laws, be referred to the Judiciary Committee with instructions to report forthwith the classification thereof and the designation of the Committee to whom each class shall be assigned

Resolution adopted.

Mr Maxwell moved.

To adjourn

Carried

So at Twelve O'clock & Fifteen minutes

the Senate adjourned

Senate met at 2 P.M.
President in the Chair
Quorum present
Mr Haynes asked leave of absence for Mr Randall for remainder of to-days session
Mr Bennet moved,
That request be granted
Carried

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver Nov. 18th 1876.
To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed H. B. No 5 "a bill for an act to prescribe the manner in which bills containing an emergency clause shall be passed and enrolled" herewith transmitted, and respectfully asks the concurrence of the Senate therein

Respectfully
W. B. Fellows

Mr Butler moved.
To suspend the Rules and put S. H. B. No 2. on its 3d Reading and final passage
Carried.
Subt. H. B. No 2 read 3d time, and further consideration postponed
Mr Bennet moved.
To take up and consider H. C. R. No 3
Carried.
H. C. R. No. 3. read 2nd time, also
Subt. reported by Committee of the Whole.
Mr Bennet moved.
To adopt H. C. R. No 3. as amended.

The President ruled
That H. C. R. No. 3. has not been reported for action of the Senate by the Committee of the Whole, therefore the motion to adopt is out of order.
Mr Hamill moved
To adjourn until Monday morning at 10 O'clock
Carried
So at 2.40 P. M. the Senate adjourned.

Journal of the Senate.

November 20 1876.

Approved.

General Assembly of Colorado

Senate

First Session

Monday, November 20 1876

Senate met pursuant to adjournment.
President in the Chair
Roll Call
Absent - Messrs Barela, Meyer and Taylor
(excused) De France and Gardner
Prayer by the Chaplain.
Mr Gardner appeared and took his seat
Journal of Saturday Nov. 18th read.
Mr Bennet moved.
That hereafter the heading of the Journal shall show the date but not day of the session and that the Journal of Saturday be so amended.
Carried.
Journal of Saturday Nov. 18th corrected and approved.
Mr Hamilton from the Joint Committee on Enrollment reported as follows.

Senate Chamber
November 20 1876

Mr President
Your Joint Committee on

Enrollment beg leave to report that they have placed S. B. No. 2, in the hands of His Excellency, the Governor, for his approval at 9^{55} a.m. of this day——

Respectfully——

R. B. Hamilton——

Chairman Joint Committee on Enrollment——

H. B. No. 5. entitled "A bill for an act to prescribe the manner in which Bills containing an Emergency Clause shall be passed and enrolled."——

Read 1st time——

S. B. No 4——

Read 2nd time.——

Mr De France appeared and took his seat——

Mr Brunt moved.——

To refer to Judiciary Committee——

Carried——

H. B. No. 4——

Read 2nd time.——

Mr Butler moved.——

To refer to Judiciary Committee——

Carried.——

Subt. H. B. No. 2.——

Read 3d time and——

Passed by following vote——

Ayes—Messrs, Bates, Butler, Clemens,
Clelland, Gardner, Hall, Hamill.

Hamilton, Haynes, Hinman, Hill.
Johnson, Maxwell, Meldrum,
Moynahan, Randall, Saunders
and Webster (President) —— 18. —

__Nays.__ Messrs. Bennet, De France, Garrison and Rockwell. —— 4 —

Title agreed to. ——
H. C. R. No. 3, read. ——
Subt. H. C. R. No. 3 read. ——
Mr Butler moved. ——
To adopt Subt. H. C. R. No. 3. ——
Division called for; and Resolution adopted by the following vote ——
__Ayes.__ – 12 ——
__Noes.__ – 9 ——
H. C. R. No. 5 read. ——
Mr Haynes moved. ——
To adopt H. C. R. No. 5. ——
Carried. ——
The President appointed as member of Joint Committee provided for in H. C. R. No. 5, on the part of the Senate
Mr Johnson. ——
H. C. R. No 4 In relation to Statutes, Stationery and Supplies ——
Read 1st time. ——
Mr Bennet moved. ——

To refer to Committee of the Whole.

Carried.

Subst. H. C. R. No. 7 relative to the revision and codification of the Laws.

Read 1st time.

Mr Bennet moved.

To refer to Committee of the Whole.

Carried.

Mr Rockwell offered the following resolution viz.

"Resolved

" That the Chairman of the
"respective Committees in the Senate
"be and they are hereby requested, to
"call a meeting or meetings of their
"Committees and take into consideration
"the preparation of such laws as pertain
"to the subject or subjects embraced
"within the duties of the respective
"Committees, and report bills thereon
"for the consideration of this body" —

And asked.

Unanimous consent for its consideration.

Objected to.

So the Resolution laid over under the Rules.

Mr Haynes called for reading of the Journal of Nov. 15, relating to leave

of absence granted Mr Rockwell. ——
Journal read, and Mr Rockwell requested to explain his absence ——
Mr Rockwell made explanation &c ——
On motion of Mr Saunders he was excused for non-attendance. ——
Mr Bennet moved, ——
That the Senate now resolve itself into Committee of the Whole on General File
Carried ——
So the Senate resolved itself into Committee of the Whole, with ——
Mr Bennet in the Chair. ——

The Committee of the Whole rose &c reported as follows ——

Mr President ——
—— Your Committee of the Whole House have had under consideration Subt. for H. C. R. No 7, and report it back to the Senate with the recommendation that it do not pass, also have had under consideration H. C. R. No 4, and have amended the same as follows. ——
"After the word "assembly" in the 5th line strike out the words "Seventy-five copies of the Revised Statutes" and insert "Five

Copies of the Revised Statutes for the use of the Senate, and Ten (10) Copies of said Statutes for the use of the House of Representatives"

Strike out the words "the same number" found in lines 6 & 7, and insert in lieu thereof, the words "Seventy-five copies"

Also, to amend as follows.

And that the Secretary of State be requested to interview the members of the Supreme Court and procure a modification of the Supreme Court Rules so as to enable the General Assembly to have the full benefit of the Supreme Court Library and report it back to the Senate with the recommendation that it do pass as amended.

H. P. Bennet

Chairman

Mr Butler moved,

To adopt the report.

Mr Bennet moved,

To divide the question

Carried.

The question being on the adoption of that portion of the report relating to Sub. H. C. R. No. 7, the ayes and noes were called with following result.

Ayes.—Messrs. Butler, Clelland, De France, Gardner, Gaussoin, Hall, Hamill, Hamilton, Haynes, Hinson, Hill, Johnson, Mannel, Meldrum, Moynahan, Randall, Rockwell, Saunders and Webster (President) —— 19.

Noes.— Messrs. Bennett & Cleaves. — 2.

So the Senate refused to concur in Subt. H. C. R. No. 7.

Mr Bennett moved,
To adopt the Report of Committee in relation to amendments to.
H. C. R. No 4.

Mr De France rose to a point of order, claiming that it was a report of a Committee under Rule 32, and must lay on the table one day and could not be considered at this time.

Mr Bennett moved,
To adjourn

Mr Rockwell moved,
To amend, by providing for adjournment until to-morrow at 10 am.

Mr Bennett rose to a point of order claiming that a motion to adjourn is not amendable.

The President decided the point not

well Cattell

Mr Bennett appealed from the decision of the Chair

The question being. Shall the decision of the chair be sustained & stand as the decision of the Senate

The ayes and Noes were called with the following result.

Ayes. – Messrs De France, Garrison, Hamilton, Haynes, Henson, Hill. Rockwell & Webster (President) — 8.

Noes. – Messrs. Bennett, Butler, Chacon, Clelland, Gardner, Hall, Hamill, Johnson, Maxwell, McEldrain, Moynahan, Randall, & Saunders – 13.

So the Chair was not sustained

The question recurring on the motion to adjourn, it was.

Carried.

So at Twelve O'clock & Fifteen minutes the Senate adjourned.

Senate met at 2 P.M.

President in the Chair

Quorum present.

Mr Butler moved.

That leave of absence be granted Mr Bennet on account of sickness in his family, for remainder of to-days session—

Carried.

Mr Butler moved,

That business pending at time of adjournment be now taken up.

Carried.

The President referred the Point of Order raised by Mr De France to the Senate for its decision.

The question being,—is the point of order well taken

A division was called for, with following result viz.

Ayes.—12.

Noes.—6.

So the Point of order was decided to be well taken

Mr Maxwell moved.

To amend the rules by striking out in Rule 31, all words following the word "consideration" to-wit, the words "and also all reports of committees"—

Carried.

Mr Haynes moved.

To proceed to ballot upon the Report of the Committee of the Whole House for consideration of the Senate

Carried.

Mr Hamill moved.

To reconsider the vote by which Rule 31 was amended.

Division called for, and motion lost by following vote

Ayes.- 8

Noes.- 11

Mr Hamill moved.

To adopt the report of Committee of the Whole on H. C. R. No. 4.

Mr Randall moved.

That leave of absence be granted Mr Haynes for remainder of to-days Session

Carried.

Mr Hamill moved.

To amend the report of the Committee of the Whole by striking out the figures "70" on the 7th line and the word "obtainable" on the 9th line and insert the words "now the property of the State"

Add after the word Library" the Secretary "of State is hereby authorized to procure "10 copies of the Session Laws of '70 for

"the use of the Senate and 15 Copies
"of the said Session laws for the use of
"the House of Representatives".

Carried.

The question then being upon the adoption of H. C. R. No. 4. as amended it was

adopted

Mr Randall moved,

To adjourn

Carried.

So at 3 P.M. the Senate adjourned.

Journal of the Senate.

November 21st 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Tuesday. November 21st 1876.

Senate met pursuant to adjournment.
President in the Chair.

Roll Call.

Absent - Messrs. Barela, Meyer, and Taylor
(Excused) Bennet, and Haynes

Quorum present.

Mr Butler asked.

Leave of absence for Mr Bennet for to-days session

Granted.

Mr Randall asked.

Leave of absence for Mr Haynes for to-days session

Granted.

Prayer by the Chaplain.

Messrs. Haynes and Bennet appeared and took their seats.

Journal of yesterday read and approved.

Mr Rockwell from the Judiciary Committee reported as follows.

To the
President of the Senate

Your Committee to whom was

referred the resolution recommending that the Legislation be classified and the subjects of each class be referred to an appropriate committee and that Committee prepare Bills and report the same to the Senate, would respectfully report that they have had the matter under consideration and apportioned the work as follows. ——

To the Judiciary Committee ——

The manner and time of holding Courts both Supreme, District and County Courts, and the practice therein — Manner of changing of the venue in civil and criminal cases. — Also, to prescribe the power of Supreme Court over inferior ones. — Also, to draft the law contemplated by Sections 40. 41 and 42 of Article 5 of the Constitution concerning bribery and corruption —— Also, providing for the Jurisdiction of County and Justice Courts. — Also, prescribing duties of the Clerk of Supreme, District and County Courts, — Also, providing for Courts of Arbitration contemplated by Section 3 Article 18 of the Constitution —— Also, Impeachment and removal from office. — Also, Exemptions and Homesteads. —

To the Committee of Ways and Means

The Legislation contemplated by Sections 16 & 17 of Article 4. of the Constitution — Also. Fees collected by Executive Officers and how such fees shall be paid into the State Treasury, — Also. the Legislation contemplated by Article 10 of the Constitution, concerning Revenue. — Also. as to how the State Treasurer shall keep the public money, — Also. prescribing the duty and compensation of the County & State Boards of Equalization —

To the Committee on Elections —

Contested Elections and Election Law and the classification of Senators and the law for casting lots for the Two & Four year terms. — Also. for providing for electing a Representative in Congress & Presidential Electors and for submitting the question of Female Suffrage and the Educational qualification of electors and for a separate Judicial Election —

To the Committee on Fees & Salaries. —

The Fees and Compensation of all Officers in the Executive, Judicial & Legislative Departments — also County Officers —

To the Committee on Education. —

Prescribing the duty of the Regents of the University — also, the Law relating to Educational, Reformatory and Penal Institutions — also, prescribing the duties and powers of the Board of Education and a uniform system of Schools in the State. —

To the Committee on Mines and Mining. —

The law providing for the office of Commissioner of Mines and fixing his Salary and prescribing his duties — Also, for providing for the proper ventilation of mines, construction of escapement shafts etc. etc and prohibiting the employment in mines of children under 12 years of age. — also, for the drainage of mines — also to provide that the science of Mining and metallurgy may be taught in one or more of the institutions of learning in the State. —

To the Committee on Immigration. —

The law providing for taking an enumeration of the inhabitants of the State. —

To the Committee on Public Lands. —

Prescribing the manner of selling public lands and prescribing the duties and compensation of State Board of Land Commissioners ———

To the Committee of State Institutions and Public Buildings ———

Prescribing the number and duties of the officers of the General Assembly, and manner of letting contracts for Rooms Stationery etc etc for Legislative, Executive and Judicial Departments. ——— also. To provide for the management, and support of the University, Agricultural College, School of Mines and Deaf Mute Institutions ——— also the State Seal —

To the Committee on Federal Relations —

Legislative apportionment, ——— also Escheated Estates, manner of accepting and controlling the same, and grants, gifts and devises for educational purposes. ———

To the Committee on Agriculture. ———

The Forest Culture and the protection thereof, and the law contemplated by Section 7. Article 18 of the Constitution

To the Committee on Incorporations.
The reporting of a law, contemplated by Section 14 of Article 14 of the Constitution and the Committee recommend that the Committee on Incorporations thoroughly revise the present law concerning corporations and embody such revision in one bill.

To the Committee on Counties and County Lines.

The preparation of a law contemplated by Section 15 of Article 14 of the Constitution regulating the compensation of County and Precinct Officers.

To the Committee on Irrigation.

The preparation of the law preventing the introduction, manufacturing or sale of spurious, poisonous or drugged spirituous liquors —— Prohibition of Lotteries —— And the law authorizing County Commissioners to fix price of water used for irrigation

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To the Committee on Military affairs.

The law providing for the safe keeping of public arms.

To the Committee on Printing.
The subject of printing the laws in Spanish & German.

The Committee also recommends
That in the preparation of these various laws, the respective Committees consider the existing laws (if any there be:) pertaining to the same subject, matter and embody in the several bills to be reported, so much of the present law, as in their judgment is applicable, to the end that when these laws are passed by the General Assembly they will be complete in themselves without reference to any other Statute on the subject

L. C. Rockwell
Chairman

Mr. Bennet moved:
To refer to Committee on Printing.
Carried.

Mr. Rockwell from the Judiciary Committee reported as follows

To the
President of the Senate

The Judiciary Committee to whom was referred S. B. No 3. providing for canvassing the vote cast for the Regents of the University respectfully report that they have had the same under consideration and report the Bill back without amendment and recommend its passage.

L. C. Rockwell
Chairman

Mr Butler moved.
To adopt report
Carried.
H. B. No 5 read 2nd time
Mr Hamill moved.
To refer H. B. No 5 to Judiciary Committee
Carried.
S. B. No 3, Read 3d time.
Mr Butler moved.
To refer S. B. No. 3 to Printing Committee.
Carried.
Resolution relative to assignment of Subjects of Legislation
Read.
Mr Rockwell moved.
To indefinitely postpone
Carried
Mr Butler moved.
To adjourn until to-morrow morning at 10 O'clock
Carried

So at 11 a.m. the Senate adjourned. —

Journal of the Senate.

November 22nd 1876.

Approved.

General Assembly of Colorado.

Senate

First Session

Wednesday, November 22nd 1876.

Senate met pursuant to adjournment

President in the Chair

Roll Call.

Absent - Messrs. Bennett, Chacon, Ellsworth
Johnson, Rockwell, and Meyer
(excused)

Quorum present.

Mr Butler asked leave of absence for Mr Ellsworth for to-days session.

Granted

Mr Bennett appeared and took his seat.

Prayer by the Chaplain.

Journal of yesterday read, and approved.

Mr Rockwell appeared and took his seat

Mr Rockwell from the Judiciary Committee reported as follows.

State of Colorado
Senate Chamber
Nov. 22 1876.

To the
President of the Senate

Your Committee to whom was referred H. B. No. 5 regarding the manner of passing bills containing an emergency clause beg leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. Rockwell
Chairman

The Chair appeared and took his seat.

Mr. Johnson from the Committee on Printing reported as follows.

State of Colorado
Senate Chamber
Nov. 22 1876.

To the
President of the Senate

Your Committee to whom was referred S. B. No. 3, beg leave to report the same back to the Senate correctly printed

Albert Johnson
Chairman

Mr. Hamill introduced
S. B. No. 5. entitled "A bill for an Act regulating the privileges of Stockholders"

S. B. No. 5. read 1st time.

S. B. No. 3 read 3rd time and
Passed by the following vote.

Ayes—Messrs. Barela, Bates, Bennet,

Butler, Chacon, Clelland, DeFrance, Gardner, Garrison, Hall, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders, Taylor and Webster (President) — 24 —

Noes - None.

Mr Bennet moved.

To amend the title by inserting after the word "votes" the words "Cash at the last General Election"

Carried.

Title agreed to as amended.

Mr Bennet moved.

That the further consideration of H. B. No. 5 be indefinitely postponed.

Carried.

— Messages from the House —

State of Colorado

Chamber of the House of Representatives

Denver Nov. 20 1876.

To the Honorable

— The Senate of the State of Colorado.

— I am instructed to inform your Honorable Body that the House has concurred in the Senate's amendments to Substitute for H. B. No. 2

Respectfully
W. B. Fellows
Chief Clerk of the House

State of Colorado.
Chamber of the House of Representatives
Denver. Nov. 20 - 1876.

To the Honorable,
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the Speaker of the House has appointed Messrs. Rannon, and Adams as the Committee on the part of the House on Printing the Governor's Message as provided for in H. C. R. No. 5

Respectfully
W. B. Fellows
Chief Clerk of the House.

State of Colorado.
Chamber of the House of Representatives
Denver Nov. 20 - 1876.

To the Honorable.
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has concurred in the action of the

Senate in adopting a substitute for H. C. R. No. 3. — Committee on the part of the House, Messrs. Phelps & Helm.

Respectfully —
W. B. Felker —
Chief Clerk of the House. —

State of Colorado —
Chamber of the House of Representatives —
Denver Nov. 21 - 1876. —

To the Honorable —
— The Senate of the State of Colorado —

—— I am instructed to inform your Honorable Body, that the House has concurred in the three first amendments made by the Senate to H. C. R. No. 1 — That the House does not concur in the Fourth amendment made by the Senate. — That the addition proposed to the Resolution by the Senate embraced in the following words" and the "Secretary of State be requested to interview "the members of the Supreme Court and "procure a modification of the Supreme "Court rules, so as to enable the General Assembly to have the full benefit "of the Supreme Court Library" is not concurred in by the House and that the balance of the proposed ~~addition~~

addition was been so amended as to read as follows

"The Secretary of State is hereby authorized to procure Seventy-four Copies of the Session laws of 1870 for the use of the members of the General Assembly.

Respectfully
W. B. Fellows
Chief Clerk of the House.

Mr Butler moved,

To refer S. B. No. 3 to Committee on Engrossment.

Carried.

Mr. Butler moved.

To reconsider the vote whereby S. B. No. 3 was referred to Committee on Engrossment.

Carried.

Mr Johnson appeared and took his seat.

Mr Butler moved.

That S. B. No. 3. be considered engrossed

Carried.

Mr Butler moved.

To take up Message of the House relating to H. C. R. No. 4.

Carried.

Mr Butler moved.

That the Senate recede from 1st amend-

ment to H. C. R. No. 4.
Carried.
Mr Haynes moved.
That the Senate recede from 2nd amendment to H. C. R. No. 4.
Carried.
Mr Butler moved.
To concur in House amendments to Senate amendments to H. C. R. No. 4.
Ayes and Noes called and motion lost by following vote.

Ayes. - Messrs. Bennett, Butler, Meldrum and Webster (President) — 4

Noes. - Messrs. Barela, Bates, Clelland, De France, Gardner, Garrison, Hall, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Moynahan, Randall, Rockwell, Saunders and Taylor — 19

So the Senate refused to concur in House amendments to Senate amendments to H. C. R. No. 4.

Communication was read from Secretary of State, relative to condition of Records in his office, and
On motion of Mr Saunders.
Referred to Committee on Fees and Salaries.

Communication was read from Secretary of State relative to Lease of Building now occupied by the Legislative Department and

On motion of Mr Bennet.

Referred to Committee on State Institutions and Public Buildings

Mr Hamill moved.

To adjourn

Division called for, with following result

Ayes. - 10

Noes. - 9.

So at 1130 am. the Senate adjourned.

Senate met at 2 P.M.

President in the Chair

Quorum present.

Mr Butler moved,

That the President appoint members of Joint Committee contemplated by H.C.R. No. 3 on part of the Senate

Carried.

The President appointed Messrs. Bennet and Haynes.

Mr Muldoon asked leave of absence until Friday

Mr Haynes moved,

That request be granted

Carried.

Mr Butler moved.

To adjourn until to-morrow morning at 10 O'clock

Carried.

So at 2^{15} P.M. the Senate adjourned

Journal of the Senate

November 23 - 1876.

Approved.

General Assembly of Colorado.

Senate

First Session

Thursday, November 22nd 1876

Senate met pursuant to adjournment. —

President in the Chair —

Roll Call. —

Absent - Messrs. Waldron and Meyer. (excused) Bennet & Butters. —

Quorum present. —

Prayer by the Chaplain. —

Journal of yesterday read and approved —

Mr Johnson from the Committee on Printing reported as follows. —

State of Colorado —
Senate Chamber. —
November, 23rd 1876. —

To the —
President of the Senate —

Your Committee to whom was referred the report of the Judiciary Committee, relative to the classification and reference of Legislation beg leave to report the same back to the Senate correctly printed except the following viz. —

Under the title "To the Committee of

Ways and Means" in the 4th line between the words "of" and "County" the word "the" is omitted ——

Under the title "To the Committee on Elections" in the 2nd line the word "or" is substituted for "and" ——

Under the title "To the Committee of State Institutions and Public Buildings" in the 3rd line the words "Schools" is printed "School" ——

Under the title "To the Committee on Federal Relations" the letter "s" is added to the word "apportionment" ——

All of which is Respectfully Submitted

Albert Johnson ——

Chairman ——

S. B. No 5 entitled "A Bill for an Act regulating the privileges of Stockholders"

Read 2nd time and ——

On motion of Mr Hamill ——

Referred to Committee on Incorporations —

Mr Haynes moved ——

To adjourn. ——

Carried ——

So at 10 20 am. the Senate adjourned. —

Senate met at 2 P.M.

President in the Chair

Quorum present.

Mr Butters appeared and took his seat.

Mr Gardner moved.

That leave of absence be granted Mr Bennet until Monday morning.

Carried.

Mr Butters asked unanimous consent to introduce

S. B. No. 6, entitled "A bill for an act to provide for the payment of certain claims for printing the Constitution of the State".

Granted.

Mr Rockwell asked unanimous consent to present a Report from the Judiciary Committee

Granted and following report read.

To the

President of the Senate

Your Committee to whom was referred H. B. No. 4, respectfully report, they have had the same under consideration and report the same back with the following amendments.

1st. Between the words "Sixty" and "Eight" in the first line of the title thereof, insert the words "seven and" and add "s" to the word section in said line.

2nd - In section one between the words "Sixty" and "Eight" in the first line thereof read "seven and" and add "s" to the word "section" in said line.

3rd - Strike out sections 2, 3, 4 and 5 and insert in lieu thereof the following section which shall stand as section 2 of the original bill.

Section 2. - It is hereby made the duty of all Sheriffs, or Keeper of Jails, Constable or other officers in any County, City or Town of this State to at once liberate and release from custody or confinement all person or persons now under arrest, or in Jail or other place of confinement, arrested, committed or held in restraint of their liberty on any civil process, whether original or mesne heretofore issued by any territorial or State Court or Courts under and in pursuance of any of the several sections of any of the Revised Statutes repealed by this act.

4th Section six of the original bill

shall become Section 3. of the amended and ——

5th When this bill is so amended the Committee recommend its passage. ——

L. C. Rockwell ——
Chairman. ——

Message from the House. ——

State of Colorado ——
Chamber of the House of Representatives
Denver, Nov. 23d 1876 ——

To the Honorable ——
The Senate of the State of Colorado. ——

—— I am instructed to inform your Honorable Body that the House insists on its amendment to the addition proposed by the Senate to H. C. R. No. 4. and requests a Committee of Conference. —— H. C. R. No. 4 is herewith transmitted ——

Respectfully ——
W. B. Felton ——
Chief Clerk of the House ——

Mr Butler moved. ——
To appoint Committee of Conference on H. C. R. No. 4. on part of Senate ——
Carried. ——

The President appointed as such Committee, Mr Rutter.

Mr Hamilton from Joint Committee on Enrollment reported as follows

State of Colorado
Senate Chamber
Denver, Nov. 23d 1876.

Mr President

Your Joint Committee on Enrollment beg leave to report that they have examined Substitute for H. B. No 2 with the Engrossed Copy and find that the same is correctly enrolled. and further report the same signed by the Speaker of the House of Representatives

W. B. Hamilton
Chairman, Joint Committee
on Enrollment.

Mr Hall called up Report of Committee on Printing, made this morning.

The title was read to

Subst. H. B. No. 2. entitled "An act to prescribe the number, duties and compensation of the Officers and Employees of each House of the General Assembly

The President thereupon

Signed Subst. H. B. No. 2.

Mr Rockwell moved,

To adopt Report of Judiciary Committee relative to assignment and classification of Legislation

Carried

Mr Randall moved,

To adjourn

Carried.

So at 3 P.M. the Senate adjourned

Journal of the Senate

November 24th 1876.

General Assembly of Colorado.

Senate.
First Session
Friday. November 24th 1876.

Senate met pursuant to adjournment.

President in the Chair

Roll Call.

Absent - Messrs. Bennet, McAdam and Meyer (excused) Barela, De France Hall and Rockwell.

Quorum present.

Prayer by the Chaplain

Mr Rockwell appeared and took his seat.

Journal of yesterday read and approved.

Messrs Hall and De France appeared and took their seats.

Mr Hamilton from the Joint Committee on Enrollment reported as follows.

State of Colorado
Senate Chamber
Denver Nov. 24 - 1876.

Mr President

Your Joint Committee on Enrollment beg leave to report that they have placed Subst. for H. B. No. 2. in the hands of his Excellency, the Governor at 2⁵⁰ P.M. November 23d 1876, for his approval.

Very Respectfully
R. B. Hamilton
Chairman Joint Committee
on Enrollment.

Mr Butler from Committee of Conference on H. C. R. No. 4, reported, recommending that the Resolution be so amended as to provide for purchase of 50 Copies of the Session Laws of 1870, 35 Copies for the House, and 15 Copies for the Senate

S. B. No 6, entitled "A bill for an act to provide for the payment of certain claims for printing the Constitution of the State"

Read 1st time,

H. B. No 4, relating to issuing of executions against the body of a Defendant in Civil actions taken up.

Mr Hall moved.

To adopt Report of Judiciary Committee on H. B. No 4,

Mr DeFrance moved.

To amend report on 1st & 2nd amendments so as to make them read "Sections 67 and 68"

Carried.

The question recurring on original motion it was

Carried.

Mr Barela appeared and took his seat,

Mr [illegible] moved.

To refer amendments to H. B. No 4. to Committee on Printing

Carried

Mr Randall moved.

To adopt report of Conference Committee — Carried

Mr Clelland asked leave of absence until Tuesday morning

Mr Hill moved.

That request be granted.

Carried.

Mr Haynes moved.

That when the Senate adjourns, it adjourn until Monday morning at 10 O'clock.

Division called for and motion adopted by following vote viz.

Ayes - 17.

Noes - 2.

Mr Butler moved.

To adjourn until Monday morning at 10 O'clock

Carried.

So at 10^{50} am. the Senate adjourned.

Journal of the Senate.

November 27th 1876.

Append.

General Assembly of Colorado

Senate
First Session
Monday, November 27th 1876.

Senate met pursuant to adjournment.—
President in the Chair
Roll Call.
Absent.—Messrs. Clelland, Meyer (excused) and De France, Ellsworth, Gardner, Maxwell, Hill, Rockwell and Taylor.
Quorum present.
Prayer by the Chaplain.
Journal read and approved.
Messrs. De France, Rockwell, and Taylor appeared and took their seats.
On motion of Mr Butters.
Mr Ellsworth was excused from attendance on to-days Session
On motion of Mr Hamilton.
Mr Hill was excused from attendance on to-days Session.
On motion of Mr Bennet.
Mr Bates was excused from attendance on the Session of the Senate for the 27th and 28th
The Committee on Printing made the following report.

Senate Chamber
Denver, Nov. 27th 1876.

To the
President of the Senate

Your Committee to whom was referred amendments to H. B. No. 4, beg leave to report the same back to the Senate correctly printed.

Albert Johnson
Chairman

The Committee on Immigration made the following report

Mr. President

The Committee on Immigration to whom was assigned the duty of presenting a bill for taking the enumeration of the inhabitants of the State respectfully report: — That they have had the same under consideration, and inasmuch as some doubts are expressed in regard to the expediency of taking said enumeration in the year 1877 or 1878 on account of the fact that the U.S. Government will take the General Census in 1880, the Committee herewith report only the title to a bill for said enumeration, that it may be considered in Committee of the Whole and postponement of the subject had.

A Bill

To provide for the Enumeration of the Inhabitants of Colorado

Respectfully
T. O. Saunders
Chairman

Mr Bennett offered the following resolutions.

Resolved.

That it be made the Special duty of the Committee on Education to consider at an early day the subject of Reformatory Schools and the propriety and necessity of the establishment of one or more in the State at once for the punishment and education and reform of all such Juvenile offenders as may be found guilty by the proper legal tribunals of having violated the Criminal laws of the State, and report by bill or otherwise.

Resolved.

That the Committee on Federal Relations be instructed to prepare memorials and joint resolutions asking Congress to establish a Military Post in the North western portion of the State and for the removal of Fort Garland to some suitable point in the South western part of the

State, also for the vacation of the Ute Reservation and for the removal of the Ute Indians to some locality outside the State limits, with directions to report at as early a day as possible ———

Resolved, ———

——— That the Committee on Agriculture for the better protection of growing crops and vegetable life, from the devastation of Grasshoppers and other insects, be instructed to consider the propriety of a stringent law prohibiting the destruction of insect devouring birds, and the importation, increase and protection of all such birds and report by bill or otherwise ———

Resolved, ———

——— That the Committee on Federal Relations be instructed to consider the propriety of memorializing Congress to extend the grants and donations to the State for Educational purposes, over the so-called mineral public lands of the State and report by Memorial and Joint Resolution or otherwise. ———

S. B. No. 6. A bill for an act to provide for the payment of certain claims for printing the Constitution of the State ———

Read second time ———

On motion of Mr Butler
S. B. No. 6. was referred to Judiciary Committee
H. B. No. 4. A bill relating to the issuing of Execution against the body of a defendant was on motion of Mr Rockwell referred to the Committee of the Whole.

On motion of Mr Rockwell.
The Senate resolved itself into the Committee of the Whole House on H. B. No. 4. and amendments with
Mr Butler in the Chair
Committee of the Whole House rose and reported as follows.

Mr President

The Committee of the Whole House to whom was referred H. B. No. 4. and amendments reported from Judiciary Committee have had the same under consideration and report the bill back to the Senate with the recommendation that it do pass as amended.

Respectfully
Alfred Butler
Chairman

On motion of Mr. Haynes.
The report of the Committee of the Whole was adopted.
On motion of Mr Hamill
The rules were suspended and H. B. No. 4. was

put upon its third reading and final passage.

Bill was read third time.

By unanimous consent the word "repealed." was stricken out of the fifth line of Section one.

H. B. No. 4, was then passed by the following vote.

Ayes. — Messrs. Barela, Bennet, Butters, Clemm, De France, Garrison, Hall, Hamill, Hamilton, Haynes, Henson, Johnson, Meldrum, Merryweather, Randall, Rockwell, Saunders, Taylor and Webster (President) — 19

Noes. — None.

Mr Rockwell moved.

To amend the title of the bill so as to read as follows.

A bill for an act to repeal Sections Sixty-seven and Sixty-eight of Chapter Fifty and Sections Six and Seven, of Chapter Forty-eight of the Revised Statutes of Colorado relating to the issuing of executions against the body of a defendant in civil actions and to release persons arrested or imprisoned under any of said sections so repealed. — Carried.

Title agreed to as amended.

On motion of Mr Rockwell,

The Senate at 11^{30} a.m. adjourned to to-morrow morning at 10 O'clock.

Journal of the Senate

November 28th 1876.

Approved

General Assembly of Colorado.

Senate
First Session
Tuesday, November 28th 1876.

Senate met pursuant to adjournment —

President in the Chair —

Roll Call. —

Absent - Messrs Bates (Excused) De France
Hamill, and Meyer. —

Quorum present. —

Prayer by the Chaplain. —

Journal of yesterday read and approved. —

Mr De France appeared and took his seat. —

Mr Buttles moved. —

That the Order of Business after No. 4. be suspended for to-day. —

Carried unanimously. —

Mr Hamill appeared and took his seat. —

Mr Maxwell asked leave of absence for to-days session for the Committee on Education to enable such Committee to visit the Public Schools of Denver. —

Mr Buttles moved. —

To grant request. —

Carried. —

Mr Ellsworth asked leave of absence for

Mr Bennett to accompany such Committee
Mr Butler moved,
To grant request
Carried
Mr Maxwell asked leave of absence for
Mr Barela for same purpose.
Mr Butler moved,
To grant request
Carried.
Mr Meldrum moved,
That Sergt-at-Arms Stratton be granted leave of absence from to-morrow morning until Saturday next
Carried.
Mr Meldrum offered
S. J. R. No 1." asking Congress to pass a law granting Ninety Thousand Acres of Land to the Agricultural College of the State of Colorado"
S. J. R. No 1. Read 1st time.

Messages from the House.

State of Colorado.
Chamber of the House of Representatives
Denver, Nov. 23d 1876.
To the Honorable
The Senate of the State of Colorado.
I am instructed to inform your

Honorable Body that Messrs Helm and Woodhouse have been appointed on the Committee on the part of the House, on the Committee of Conference relative to the House Amendment to the Senates addition to H. C. R. No. 4.

Respectfully
W. B. Felton
Chief Clerk of the House.

State of Colorado
Chamber of the House of Representatives.
Denver, Nov. 27th 1876.

To the Honorable.
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that S. B. No. 3. a bill to provide for canvassing the votes for Regents of the University, herewith transmitted, has passed the House.

Respectfully
W. B. Felton
Chief Clerk of the House

State of Colorado.
Chamber of the House of Representatives.
Denver Nov. 27th 1876.

To the Honorable
The Senate of the State of Colorado.

—I am instructed to inform your Honorable Body, that the House has passed H. B. No. 19. A bill for an Act to provide for the Sale of Unclaimed Lots and Parcels of Land in the City of Black Hawk and to repeal Sec. 2. of an Act for the relief of the City of Black Hawk approved Feb. 9th 1876. which is herewith transmitted. and the concurrence of your Honorable Body is respectfully requested—

Respectfully

W. B. Felker

Mr Garrison introduced

S. B. No. 7. entitled "A bill for an Act to "provide for the exemption of Ditches and "other Hydraulic Works for irrigation from "all legal process, except as an integral "and inseparable part of the land"

Mr Butler moved.

To refer S. B. No. 3. to Enrolling Committee

Carried.

S. B. No 7 Read 1st time

Mr. Ellsworth moved.

To adjourn until To-morrow morning at 10 O'clock.

Carried.

So at 10^{30} a.m. the Senate adjourned

Journal of the Senate

November 29th 1876

Approved.

General Assembly of Colorado.

Senate
First Session.
Wednesday, November 29th 1876.

Senate met pursuant to adjournment.
President in the Chair.
Roll Call
Absent. - Messrs. De France. Meyer, and Moynahan.

Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
Mr Hamill introduced
S. B. No. 8. entitled "A bill for an act "regarding the power of granting and dissolving injunctions and restraining orders, and the mode of obtaining mandatory writs of injunction and the practice under each, in case of disobedience" also,
S. B. No 9. entitled "A bill for an act "to repeal an act entitled 'an act to amend Section one (1) of Chapter Fifty (50) of the Revised Statutes of Colorado'".

Messrs. De France and Moynahan appeared

and took their seats —

Mr Haynes introduced —

S. B. No 10 entitled "A Bill for an Act
"to extend the right of Suffrage to women
"of lawful age, and otherwise qualified
"according to the provisions of the Consti-
"tution" —

S. B. No. 8. Read 1st time —

S. B. No. 9. Read 1st time —

S. B. No. 10. Read 1st time —

S B. No. 7 ^ Read 2nd time —

Mr De France moved —

To refer to Judiciary Committee —

Carried. —

S. J. R. No. 1 "Asking Congress to pass a law
"granting Ninety Thousand Acres of Land to
"the Agricultural College of the State of
"Colorado" —

Read 2nd time —

Mr Meldrum moved —

To refer to Committee on Federal Relations

Carried —

Resolutions introduced by Mr Bench
on yesterday read —

No. 1. Relative to Reform Schools —

Adopted —

No. 2. Relative to Military Posts on Ute
Reservation —

Adopted. —

No. 3. Relation to protection of Birds
adopted
No. 4. Relation to grant of Mineral
Lands for Educational purposes
Mr Hamill moved
To refer to Committee on Mines and Mining
Carried.

Messages from the House

State of Colorado
Chamber of the House of Representatives
Denver, Nov. 28th 1876

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has adopted H. C. R. No. 8 in relation to the Employment of a Clerk by the Committees on Corporations of the two Houses and the concurrence of the Senate is respectfully requested

Respectfully
W. B. Felker
Chief Clerk of the House

Resolution

Resolved,
By the House of Representatives

the Senate concurring herein.

That the Committees on Corporations of the two Houses be authorized to employ a Clerk, jointly, said Clerk to perform the usual duties of his position for said Committees in their joint and separate sessions

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State of Colorado
Chamber of the House of Representatives
Denver Nov. 28th 1876.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed H. B. No. 11. A bill for an act to provide for the holding of two or more terms of the Supreme Court of the State of Colorado, annually, and to make certain regulations incident thereto, herewith transmitted; and respectfully asks the concurrence of the Senate therein.

Respectfully
W. B. Felton
Chief Clerk of the House.

State of Colorado
Chamber of the House of Representatives,
Denver Nov. 28th 1876.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed H. B. No. 12. a bill for an act to establish and create the County of Ouray, which is herewith transmitted, and the concurrence of the Senate is respectfully requested.

Respectfully
W. B. Fellows
Chief Clerk of the House,

Report of Committee on Immigration taken up and read.
Mr Saunders moved.
To refer to Committee of the Whole.
Carried

Message from the Governor

State of Colorado.
Executive Department
Denver. Nov. 27~1876.

Hon W. W. Webster
President of Senate
Sir

I have the honor to inform you, that I have signed Senate Bill

No. 2, entitled "An act to provide for
"the expenses of the Legislative, Execu-
"tive, and Judicial Departments of the
"State of Colorado" and placed the same
in the hands of the Secretary of State

Very Respectfully
John L. Routt
Governor.

Mr Haynes, unanimous consent being
given, introduced
S. B. No. 11, entitled "A bill for an act
"to divide the Senators elected to the
"First Legislative Assembly of the State
"into two classes, and to provide the mode
"of deciding by lot the time for which
"Senators of each class shall hold"
S. B. No. 11, Read 1st time,
Mr Hrusne moved.
To suspend the Rules and place H. B.
No. 12 on its 1st Reading. — Carried.
H. B. No. 12 Read 1st time.
Mr Hamill moved.
To extend leave of absence for Mr Meyer
until Monday next.
Carried.
Mr Haynes moved.
To grant leave of absence to Mr Randall
until Monday next,

Carried ——

Mr Hamill moved, ——

To grant Mr Johnson leave of absence until Monday next at 10 a.m. ——

Carried ——

Mr Saunders moved, ——

That when the Senate adjourns it adjourn until Monday at 10 a.m. ——

Mr Bennet raised point of order on the resolution. claiming that under the provisions of the Constitution the concurrence of both Houses is required on an adjournment for more than three days ——

The question being.— Is the point of order well taken: the ayes and noes were called, with following result viz ——

Ayes.— Messrs. Barela, Bates, Bennett, Butler, Chacon, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hall, Hamilton, Haynes, Hinson, Hill. Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders, Taylor and Webster. (President) —— 24 ——

Noes.— Mr Hamill —— 1 ——

So the Senate decided the point well taken. ——

Mr Brunt moved.

That when the Senate adjourn, it adjourn until Friday at 10. am.

Carried.

Mr Randall moved.

To grant Mr Saunders leave of absence until Monday morning

Carried.

Mr Saunders moved.

To adjourn

Carried.

So at 11 o am. the Senate adjourned.

Journal of the Senate.

December 1st 1876.

Appendix.

General Assembly of Colorado.

Senate
First Session
Friday, December 1st 1876.

Senate met pursuant to adjournment. ——
President in the Chair. ——
Roll Call. ——
Absent — Messrs. Johnson, Meyer, Randall
Saunders, (Excused) De France, Hall,
Hamilton, Haynes, Maxwell, Moynahan, & Rockwell. ——
Quorum present. ——
Prayer by the Chaplain ——
Messrs Moynahan & De France appeared and took their seats ——
Journal of Wednesday read & approved. ——
Mr Weldon moved. ——
To grant Mr Hamilton leave of absence until Monday next ——
Carried ——
Mr Moynahan moved. ——
To grant Messrs Hall & Haynes leave of absence until Monday next. ——
Carried. ——
Mr Bennet introduced Petition in relation to Preservation of Insectivorous Birds — and moved. ——

To refer Petition to Committee on Agriculture ——— Carried

Mr Rockwell appeared and took his seat.

Mr Hill from the Committee on Enrollment reported as follows. ———

State of Colorado,
Senate Chamber,
December 1st 1876.

To the
President of the Senate.

Your Committee to whom was referred Senate Bill No. 3, beg leave to report the same back to the Senate correctly enrolled.

Albert Johnson
Chairman.

The Joint Committee on Printing the Governor's Message reported as follows.

State of Colorado
Senate Chamber.
November 29th 1876.

To the
President of the Senate and Speaker of the House of Representatives

The Joint Committee to whom was referred the printing of the Governor's Message and accompanying documents beg leave to Report, that they have had the same under consideration and find that it will make a pamphlet of about 6×9 inches containing perhaps 165 pages. ——

To print, bind, and stitch 1000 copies in the English Language will cost probably —— $700.00

500 copies in the Spanish Language probably —— $420.00

Translating into the Spanish Language probably —— $100.00

Total —— $1220.00

Covers will cost 10¢ each in addition to the above. ——

The Committee would recommend, that the Secretary of State be instructed to procure 1000 copies of the Governors Message, with its accompanying documents in the English Language and —— 500 copies in the Spanish Language for the use of the General Assembly, at the lowest possible rates. ——

The Committee beg leave to state that the delay in making the above report is caused by being obliged to wait upon the Secretary of State whose duty it is to make contracts of this kind and who could not give us information sooner ——

Albert Johnson
Senate
Daniel Ransom
Alva Adams
House of Rep^s.

Mr Butters moved
To adopt Report of Committee.
Ayes and Noes called with following result.

Ayes.—Messrs. Barela, Bates, Bennet, Butters, Chacon, Clelland, DeFrance, Ellsworth, Gardner, Garrison, Henson, Hill, Moynahan, Taylor and Webster (President) 15

Noes.—Messrs. Hamill, Meldrum and Rockwell. 3

So the report was adopted.

Mr Hamill introduced
S. B. No. 12, entitled "An act concerning "the writ of Certiorari"
Mr Henson introduced
S.B. No. 13 entitled "An act to provide "for the disposal of unclaimed lands "within Town Sites located on the "unsurveyed public domain"

S. B. No. 12 read 1st time. ——

S. B. No. 13 read 1st time. ——

H. B. No. 11, entitled "A Bill for an act "to provide for the holding of two or "more terms of the Supreme Court of the "State of Colorado, annually and to make "certain regulations incident thereto" —
Read 1st time. ——

H. B. No. 19, entitled "A Bill for an act "to provide for the sale of unclaimed lots "and parcels of land in the City of "Black Hawk and to repeal Sec. 2 of "an act for the relief of the City of "Black Hawk, approved Feb. 9th 1876" —
Read 1st time. ——

S. B. No. 10, entitled "A Bill, for an act "to extend the right of suffrage to women "of lawful age, and otherwise qualified according to the provisions of the Constitution"
Read 2nd time. ——

Mr. Woogridan moved. ——
To refer to Committee on Elections
Carried. ——

S. B. No. 9, entitled "A bill for an act "to repeal an act entitled 'an act "to amend Section One (1) of Chapter Fifty "(50) of the Revised Statutes of Colorado" —
Read 2nd time ——

Mr Henson moved. ——

To refer to Judiciary Committee.

Carried.

S. B. No. 11, entitled "A Bill for an act "to divide the Senators elected to the "First Legislative Assembly of the State "into two classes and to provide the "mode of deciding by lot the time "for which Senators of each class shall "hold".

Read 2nd time.

Mr Rockwell moved.

To refer to Committee on Elections

Carried.

H. B. No. 12, entitled "A Bill for an act "to establish and create the County of "Ouray"

Read 2nd time.

Mr Henson moved.

To refer to Committee on Counties and County Lines

Carried.

H. C. R. No. 8. In relation to employment of clerk by Joint Committee on Corporations read.

Mr Ellsworth moved.

To amend by adding to last line the words. "and said clerk to receive compensation for the time actually employed"

Division called on adoption of the amendment resulting as follows.

Ayes. — 14.

Noes. — 1.

So the amendment was adopted.

The question recurring upon adoption of H. C. R. No. 8 as amended it was adopted.

Messages from the House.

State of Colorado.
Chamber of the House of Representatives
Denver, Nov. 29th 1876.

To the Honorable,
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has, this day, refused to concur in the Senate's amendments to H. B. No. 4. The Bill and amendments are herewith transmitted.

Respectfully
W. B. Fellows
Chief Clerk of the House.

State of Colorado
Chamber of the House of Representatives
Denver Dec 1st 1876.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform the Senate that the House has adopted "H. J. R. No. 9. In relation to printing "the Governor's Message and accompanying "Documents" and respectfully requests "the concurrence of your Honorable Body therein.

Respectfully

W. B. Felker

Chief Clerk of the House of Representatives

Mr Hrusme by unanimous consent, Introduced the following resolution.

Resolved,

That the Judiciary Committee be, and are hereby authorized to employ a clerk, such clerk to receive compensation for the time actually employed.

Mr Rockwell moved,

To suspend rules, and consider the Resolution.

Carried.

Resolution read.

Mr Meldrum moved,

To adopt Resolution

Mr Hamill raised point of order

That rules were not in fact suspended a sufficient number not having voted therefor.

The President decided point of order not well taken.

The question recurring on adoption of the Resolution it was

Adopted

H. C. R. No. 9. In relation to printing of the Governor's Message and Accompanying Documents

Read.

Mr Butler moved.

To suspend the rules for the purpose of considering the Resolution

Carried.

Mr Butler moved.

To concur in H. C. R. No. 9.

Mr Brunt raised point of order that the vote could not be taken viva voce

The President decided the point of order, not well taken.

Division called for on adoption of motion to concur.

A quorum not voting

The Ayes and Noes were called with the following result

Ayes.—Messrs. Bates, Brunt, Butler, Cleaver, Clelland, De France,

Ellsworth, Gardner, Gaussoin,
Hanson, Hill, Moynahan, Taylor
and Webster (President) —— 14.—

Noes.—Messrs. Barela, Hamill, McElwain
& Rockwell —— 4.—

So the Senate concurred in H.C.R. No. 9.—

Mr Hamill moved. ——

To lay H.B. No. 4, entitled "A Bill for "An act to repeal Section Sixty-eight "of Chapter Fifty & Sections six and seven, "of Chapter Forty-eight of the Revised Statutes "of Colorado, relating to the issuing of Execution against the body of a Defendant "in civil actions & to enact other provisions "in lieu thereof" ——

On the Table. ——

Division called for, with following result ——

Ayes. — 7 ——

Noes. — 8. ——

So the motion was lost. ——

Mr Butters moved. ——

That the Senate insists on its amendments to H.B. No. 4 & asks for a Committee of Conference ——

Carried ——

Mr Hamill moved. ——

To adjourn ——

Carried ——
So at 12 M. the Senate adjourned. ——

Senate met at 2 P. M. ——
President in the Chair ——
Quorum present ——
Mr Butters moved, ——
To grant Mr Ellison the leave of absence
for remainder of to-days session ——
Carried ——
Mr Henson by unanimous consent introduced ——
S. B. No 14, entitled "A bill to authorize
"Clerks of the District Court to appoint
"Deputies" ——

By unanimous consent ——
S. B. No 8 entitled "A bill for an act
"regarding the power of granting and dissolving
"injunctions and restraining orders
"and the mode of obtaining mandatory
"writs of injunction and the
"practice under each in case of
"disobedience, and to repeal Chap. 43,
"of the Revised Statutes and Section 2
"of an act concerning miners approved
"February 13th 1874 and the act amendatory
"thereof entitled "An act to amend

"an act entitled an act concerning "mines, approved February 13th 1874, and "approved February 11th 1876"

Read 2nd time,

Mr Brunt moved.

To refer to Printing Committee for the purpose of having the same printed

Carried.

Mr Rockwell moved.

To adjourn until Monday morning at 10 O'clock.

Ayes and Noes called with following result.

Ayes. - Messrs. Barela, Brunt, Butler, Chavez, Clelland, De France, Gardner, Gaussoin, Hamill, Henson, Hill, Meldrum, Rockwell, Taylor and Webster, (President) 15

Noes. — Mr Moynahan 1

So the motion was adopted and at 2^{35} P.M. the Senate adjourned.

Journal of the Senate.

December 4th 1876.

Approved.

General Assembly of Colorado

Senate

First Session

Monday, December 4th 1876.

Senate met pursuant to adjournment.

President in the Chair.

Roll Call.

Absent.— Mr Meyer.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday, December 2nd read and approved.

Mr Gardner introduced

Petition of Citizens of Douglas County asking repeal of Section 72 of the School Law.

Referred to Committee on Education

Mr Johnson from the Committee on Printing reported as follows.

State of Colorado

Senate Chamber.

December 4th 1876.

To the

President of the Senate

Your Committee to whom was referred Senate Bill No. 8. beg leave to report the same back to the Senate correctly printed except that the last word in Line 6. Sec. 3. should be "where" instead of "where"

Albert Johnson
Chairman.

Messages from the House.

State of Colorado.
Chamber of the House of Representatives.
Denver. Dec. 1st 1876.

To the Honorable,
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has concurred in the Senate's amendment to House C. R. No. 8.

Respectfully
W. B. Fellows
Chief Clerk of the House.

State of Colorado
Chamber of the House of Representatives
Denver. Dec. 1st 1876.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House

accedes to the Senate's request for
a Committee of Conference relative to
the Senate's Amendments to H.B. No. 4,
and has appointed Messrs Irvine and
A.D. Wilson as said Committee on the
part of the House.

Respectfully
W.B. Fellows
Chief Clerk of the House.

Mr Rockwell introduced
S.B. No. 15, entitled "A Bill for an act to
"provide for and regulate the holding of the
"District Courts in the several Judicial
"Districts in this State and the manner
"of commencing and adjourning the same and
"return of process and providing for transfer
"of causes therein and to repeal all other
"acts in relation thereto"

S.B. No. 15 read 1st time.

Mr Randall asked leave of absence until
2 P.M.

Mr Saunders moved.
To grant request.
Carried.

S.B. No. 14, entitled "A Bill to authorize
Clerks of the District Court to appoint deputies — Read 1st time.

S.B. No. 12, entitled "An act concerning

"the Writ of Certiorari".
Read 2nd time.
Mr Rockwell moved.
To refer to Judiciary Committee
Carried.
S. B. No. 13, entitled "An Act to provide for
"the disposal of unclaimed lands within
"Town Sites located on the unsurveyed
"public domain"
Read 2nd time
Mr Rockwell moved,
To refer to Committee on Incorporations
Carried.
H. B. No. 11, entitled "A Bill for an act
"to provide for the holding of two or more
"terms of the Supreme Court of the State
"of Colorado, annually and to make cer-
"tain regulations incident thereto"
Read 2nd time.
Mr Henson moved,
To refer to Judiciary Committee
Carried,
H. B. No. 19, entitled "A Bill for an act
"to provide for the sale of unclaimed lots
"and parcels of land in the City of Black
"Hawk, and to repeal Sec. 2, of an act for
"the relief of the City of Black Hawk,
"approved Feby, 9th 1876,
Read 2nd time.

Mr Moynahan moved.

To refer to Committee on Incorporations

Carried.

S. B. No. 8 entitled "A Bill for an act
"regarding the power of granting and
"dissolving injunctions and restraining
"orders and the mode of obtaining mandating
"writs of injunction and the
"practice under each in case of disobedience,
"and to repeal Chap. 43, of the Revised
"Statutes and Section 2, of an act
"concerning mines, approved February 13th
"1874, and the act amendatory thereof
"entitled: an act to amend an act
"entitled an act concerning mines approved
"February 13th 1874, and approved
"February 11th 1876"

Taken up.

Mr Randall moved.

To refer to Judiciary Committee.

Carried

Mr Butler moved.

That a Committee of Two be appointed on part of the Senate to confer with like Committee on part of the House on H. B. No. 4

Carried.

The President appointed

Messrs De France and Haynes

Mr Butler moved.
To adjourn until To-morrow morning at 10 o'clock

Carried.

So at 11 am, the Senate adjourned

Journal of the Senate

December 5th 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Tuesday, December 5th 1876.

Senate met pursuant to adjournment—
President in the Chair.
Roll Call.
Absent— Messrs. Bennet, De France and
Meyer.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday, read, and approved.
Mr De France appeared and took his seat.
Mr Hamill moved,
To grant Mr Meyer leave of absence
until Saturday Dec. 9—
Carried
Mr Hill moved,
To grant Mr Bennet leave of absence
for morning session.
Carried.
Mr Rockwell from the Judiciary Committee reported as follows,

State of Colorado.
Senate Chamber
Dec. 5th 1876

To the

President of the Senate.

Your Committee to whom was referred S. B. No. 12. relating to the Common Law Writ of Certiorari. beg leave to report the same back to the Senate with the recommendation that it be indefinitely postponed.

also.

Your Committee to whom was referred S. B. No. 8. relating to Injunctions beg leave to report the same back to the Senate with the recommendation that it be referred to the Committee of the Whole House.

also.

Your Committee to whom was referred H. B. No. 11. relating to the holding of Two, or more Terms of the Supreme Court beg leave to report the same back to the Senate, with the following amendments

1st - Strike out the word "March" in the 4th line of Section 1. and insert in lieu thereof "February".

2nd - Strike out the word "Third" in the 5th line of Section one and insert in lieu thereof the word "Second"

3d - Strike out all of Section 2. before the word "Special" in the 4th line thereof

4th - Strike out the word "meeting" in the 11th line of Section 4 and insert the word "term" also.

Add immediately after the word "at" in the last line of said section 4, the words "said term" and strike out the words "the first sitting of said Court" occurring in said line

With these amendments adopted we recommend its passage.

L. C. Rockwell
Chairman

Mr Hall from the Committee on Counties and County Lines reported as follows.

State Senate
December 5th 1876

To the
President of the Senate.

Your Committee on Counties and County Lines to whom was referred House Bill No. 12, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass

J. B. Hall

Chairman Com. on Counties and County Lines

Mr Saunders introduced —
S. J. R. No. 2, Relative to interpretation of Section 17, of the Schedule of the Constitution. —

Mr Garrison introduced —
S. B. No. 16 entitled "A Bill for an act "to amend Divisions. 1, 2, 4, and 13 of the "Criminal Code, Chapter 22 of the Revised "Statutes of Colorado" —

Mr Meldrum introduced —
S. B. No. 17, entitled "A Bill for an Act "to provide a Bailiff for the Supreme "Court, and to regulate the compensation "tion of such officer" —

Mr Rockwell introduced, —
S. B. No. 18, entitled "A Bill for an Act "to repeal an act concerning Practice "in the District and Probate Courts, approved "February 4th 1876" —

Mr Butler introduced —
S. B. No. 19, entitled "A bill for an act "to provide for the payment of the "claims of Wm Wiest for translating the "Constitution of the State into the German Language" —

Mr Gardner introduced, —
S. B. No. 20, entitled "An act to vacate

"unoccupied Town Sites and Streets"

Mr Barela introduced

S.B. No. 21, entitled "A Bill for an act
"to amend an act entitled 'an act
"authorizing the County Commissioners
"of the County of Las Animas to levy a
"special Tax, to build a Court House'
"approved February Ninth A.D. 1872"

Mr Randall introduced

S.B. No. 22, entitled "A bill for an act
"to regulate the Jurisdiction and Practice
"in the County Courts"

S.B. No. 16. Read 1st time

S.B. No. 17 Read 1st time

S.B. No. 18 Read 1st time.

S.B. No 19 Read 1st time

S.B. No. 20 Read 1st time

S.B. No. 21 Read 1st time

S.B. No. 22, Read 1st time

Mr Randall moved,
To suspend Rule 32, and Refer S.B. No. 22
to Judiciary Committee

Division called for, with following result

Ayes.-16,

Noes.- 5,

So the motion was Lost.

S.B. No. 14 entitled "A Bill to authorize
"Clerks of the District Courts to appoint
"Deputies"

Read 2nd time.

Mr Meldrum moved,

To refer to Judiciary Committee

Carried.

S. B. No. 15, entitled "A bill for an act to "provide for and regulate the holding of "the District Courts in the several Judicial "Districts in this State and the manner "of commencing and adjourning the same "and return of process, and providing for "transfer of causes therein, and to repeal "all other acts in relation thereto.

Read 2nd time.

Mr Hamill moved,

To refer to Committee on Printing for purpose of having the same printed.

Carried.

Mr Rockwell moved,

To adopt Report of Judiciary Committee recommending the reference of

S. B. No 8 entitled "A Bill for an act, "regulating the power of granting and "disolving Injunctions and Restraining "Orders, and the mode of obtaining Mandatory Writs of Injunctions, and the practice "under each in case of disobedience and "to repeal Chap. 43, of the Revised Statutes "and Sec. 2 of an act concerning Mines, "approved Feby 13 1874 and the act amend-

"along Term of, entitled 'an act to amend
"an act, entitled an act, concerning
"mines, approved Feby 13th 1874 and ap-
"proved Feby 11th 1876" ———
to Committee of the Whole ———
Carried. ———
Mr Hamill moved. ———
To adopt Report of Judiciary Committee
recommending the indefinite postponement
of ———
S.B. No. 12. entitled "A bill for an act
"concerning the writ of Certiorari" ———
Carried. ———
Mr Haynes, moved, ———
To refer Report of Judiciary Committee
on ———
H.B. No. 11, entitled "A Bill for an act
"to provide for the holding of Two or more
"Terms of the Supreme Court of the State
"of Colorado, annually, and to make certain
"regulations incident thereto" ———
to Committee of the Whole. ———
Carried, ———
Mr Haynes moved, ———
To refer Report of Committee on Counties
and County Lines on ———
H.B. No. 12, entitled "A bill for an act
"to establish and create the County of
"Ouray" ———

to Committee of the Whole.
Carried.
Mr Hamill moved,
That the Senate now resolve itself into Committee of the Whole on S. B. No. 8.
Carried.
So the Senate resolved itself into Committee of the Whole with.
Mr Clelland in the Chair.

The Committee of the Whole, rose
The Senate resumed its session and the following Report was read.

Mr President,

Your Committee of the Whole House have had under consideration S. B. No. 8. have made some progress and ask leave to sit again

James Clelland
Chairman

Report received and request granted.
Mr Ellsworth moved,
To adjourn until 10 am. To-morrow.
Carried.
So at Twelve O'clock and Fifteen minutes the Senate adjourned.

Journal of the Senate

December 6th 1876.

Approved.

Senate
First Session
Wednesday, December 6th 1876.

Senate met pursuant to adjournment — President in the Chair.

Roll Call.

Absent — Messrs. Meyer (excused), De-France and Rockwell.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Maxwell from Committee on Rules reported as follows.

Mr. President:

Your Committee on Rules would report the following amendment to Rule 29 of the Senate and respectfully recommend its adoption.

"All bills now introduced and that
"shall be introduced prior to the 20th
"day of December A.D. 1876 shall be
"read by the title and lie upon the
"table subject to the order of the Senate
"unless otherwise ordered."

Respectfully Submitted
J. P. Maxwell
Chairman.

Mr Randall moved.
To suspend Rules and adopt Report
Division called for with following
result
Ayes. - 14.
Noes. - 1
So the motion was lost.

Introduction of Bills.

By Mr Ellsworth.
S. B. No 23, entitled "A Bill for an
"Act to provide for the payment of
"the Claim of S. D. Macdonald for
"publishing the Proclamation of the
"Governor of Colorado Territory in ref-
"erence to an election for members of
"the Constitutional Convention"

also

S. B. No. 24, entitled "A Bill for an
"Act relating to Bonds and interest
"thereon, heretofore issued by Counties,
"Cities and Towns; in aid of organized
"Railroads and Wagon-roads and other purposes"

also.

S. B. No 25. entitled "A Bill for an "Act to repeal certain laws relating "to Corporations"

also.

S. B. No 26. entitled "A Bill for an "Act to provide for the formation of "Corporations"

By Mr Hall.

S. B. No. 27. entitled "A Bill for an "Act to abolish the office of Territorial "Assayer, and to repeal all acts and "parts of acts regarding the establishing "and maintaining such Office & Officers"

By Mr Haynes.

S. B. No 28. entitled "A Bill for an "Act regulating Elections, and repealing all Territorial Acts upon the subject."

Mr Rockwell appeared & took his seat

Mr Butters moved.

To suspend Rules & lay all bills introduced this morning on the Table until to-morrow.

Carried. —

S. B. No 16. entitled "A Bill for an "Act to amend Divisions 1, 2, 4 and 13 "of the Criminal Code, Chapter 22 of "the Revised Statutes of Colorado" —
Read 2nd time. —
Mr Clelland moved. —
To refer to Judiciary Committee. —
Carried. —

S. B. No. 17. entitled "A Bill for an "Act to provide a Bailiff for the Supreme Court, and to regulate the "Compensation of such Officer" —
Read 2nd time. —
Mr Meldrum moved. —
To refer to Committee on Printing. —
Carried. —

S. B. No. 18. entitled "A Bill for an "Act to repeal an act concerning Practice in the District and Probate Courts "approved February 4th 1876." —
Read 2nd time. —
Mr Haynes moved. —
To refer to Committee on Printing —
Carried. —

S. B. No. 19. entitled "A Bill for an "Act to provide for the payment of the "claim of Wm Wlist for translating the "Constitution of the State into the German Language" ——

Read 2nd time. ——

Mr Butters moved. ——

To refer to Committee on Finance, Ways and Means ——

Carried. ——

S. B. No. 20. entitled "An act to vacate "unoccupied Town Sites and Streets" ——

Read 2nd time ——

Mr Gardner moved. ——

To refer to Committee on Incorporations. ——

Carried. ——

S. B. No 21. entitled "A Bill for an "Act to amend an act entitled 'an "act authorizing the County Commissioners of the County of Las Animas "to levy a Special Tax to build a Court "House. Approved February Ninth AD 1872" ——

Read 2nd time. ——

Mr Barela moved. ——

To refer to Committee on Printing. ——

Carried. ——

S. B. No. 22, entitled "A Bill for an "Act to regulate the Jurisdiction and "Practice in the County Courts" —

Read 2nd time. —

Mr Barela moved. —

To refer to a Special Committee of Three to be appointed by the President —

— Messages from the House. —

State of Colorado. —
Chamber of the House of Representatives
Denver Dec. 4th 1876 —

To the Honorable,
The Senate of the State of Colorado —

— I am instructed to inform your Honorable Body, that the House has passed a Resolution requesting the Senate to instruct its Assistant Janitor to take care of the Committee Rooms of the House. —

Respectfully —
W. B. Felton —
Chief Clerk of the House. —

State of Colorado. —
Chamber of the House of Representatives —
Denver Dec. 6th 1876. —

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed H. C. R. No. 10, "In relation "to Representation in Congress" and the concurrence of the Senate is respectfully requested therein.

Resolution herewith transmitted.

Respectfully
W. B. Fellows
Chief Clerk of the House.

Mr Hamill moved.
To refer S. B. No 22. to Committee on Judiciary
Carried.
Mr Butters asked Unanimous consent to take up H. C. R. No. 10,
Granted.
Mr Butters moved.
That the Senate concur in the adoption of H. C. R. No. 10.
Mr Rockwell moved.
To refer to Committee on Federal Relations.
Lost.
The question recurring on motion

to concur, ---

The Ayes and Noes were called with following result.

Ayes. - Messrs. Barela, Bates, Bennett, Butters, Chacon, Ellsworth, Gardner, Gaussoin, Hall, Hamill, Hamilton, Haynes, Henson, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders and Webster (President) - 21 -

Noes. - Messrs. Clelland, Hill and Taylor - 3. -

So the Senate concurred in the adoption of H. C. R. No. 10.

S. J. R. No. 2. "Relative to interpretation "of Section 17 of the Schedule of the "Constitution".

Taken up.

Mr Randall moved.

To refer to Committee on Finance Ways and Means.

Mr Butters moved.

To indefinitely postpone.

Division called for with following result.

Ayes – 14.
Noes. – 6.

So the Resolution was indefinitely postponed.

Mr Hamill moved.
That the Senate resolve itself into Committee of the Whole on S. B. No. 8.
Carried.

Mr De France appeared and took his seat

So the Senate resolved itself into Committee of the Whole, with Mr Clelland in the Chair.

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President
Your Committee of the Whole House have had under consideration S. B. No. 8. have made some progress and ask leave to sit again.
James Clelland
Chairman

Report received and request granted

Mr Randall moved.
To adjourn until 10 A.M. to-morrow.
Carried.

So at Twelve O'clock and Twenty minutes the Senate adjourned.

Journal of the Senate

December 7th 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Thursday, December 7th 1876.

Senate met pursuant to adjournment.
President in the Chair
Roll Call
Absent - Messrs Meyer, (excused) Barela and De France.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday, read and approved.

Mr Johnson from Committee on Printing reported as follows.

State of Colorado
Senate Chamber
December 7th 1876.

To the
President of the Senate

Your Committee to whom was referred Senate Bills No. 15, 17, 18 and 21 beg leave to report the same back to the Senate correctly printed.

Albert Johnson

Chairman

Mr De France appeared and took his seat

Mr Gardner from the Committee on Agriculture, reported as follows

State of Colorado
Senate Chamber
December 7th 1876

To the
President of the Senate

Your Committee to whom was referred Resolution relative to the protection of Insect devouring Birds, beg leave to report the same back to the Senate ~~with~~ a Bill.

J. F. Gardner
Chairman

Mr Bitter from the Committee on Finance, Ways and Means reported as follows

State of Colorado
Senate Chamber
December 7th 1876

To the
President of the Senate

Your Committee to whom

was referred Senate Bill No. 19. have had the same under consideration and beg leave to report the Bill back to the Senate with the recommendation that it be ordered engrossed

Alfred Butters
Chairman

Mr Rockwell introduced
S. C. R. No. 3. "Relative to appointment "of Joint Committee on the question "of necessary Legislation"

Mr Rockwell moved.
That the Rules be suspended for the purpose of considering S. C. R. No. 3.
Carried.

Mr Bennett moved.
To adopt S. C. R. No. 3.

Mr Saunders moved.
To amend by increasing the number of members of the Committee, contemplated by the Resolution, on the part of the Senate; and by including Mr Bennett as a member of such Committee

Carried

The question then recurring on the original motion to adopt, as amended it was.
Adopted.

Introduction of Bills.

By Mr Ellsworth
S. B. No 29. entitled "A Bill for an
"Act to designate the Holidays to be
"observed in the acceptance and payment
"of Bills of Exchange and Promissory
"Notes, in the Holding of Courts and
"relative to the continuance of suits."

By Mr Gardiner
S. B. No. 30, entitled "An Act for the
"Protection of Wild Game, and Insect-
"ivorous Birds"

By Mr Maxwell
S. B. No 31. entitled "A Bill for an
"Act to provide for the establishment
"of a Fiscal Agency, for the State of
"Colorado, in the City of New York
"and prescribing the duties of Officers

"in relation thereto" —

By Mr Meldrum. —
S. B. No 32. entitled. "A Bill for an "Act to establish a State Board of "Agriculture, and to define their "duties". —

S. B. No 23. entitled "A Bill for an "Act to provide for the payment of the "claim of S. D. Macdonald for pub-"lishing the Proclamation of the Gov-"ernor of Colorado Territory in refer-"ence to an election for Members "of the Constitutional Convention" —
Read 1st time. —

Mr Maxwell moved. —
To suspend the Rules for the purpose of taking up the Report of Committee on Rules made on yesterday. —
Carried. —

Mr Haynes moved. —
To adopt proposed amendment to Rule 29. —

Mr Butters moved.

To amend as follows.

"Resolved.

"That the reading of all Bills "that have been introduced or that "shall be introduced, until the 20th "of this month, be dispensed with, "unless otherwise ordered by the Senate.

Carried.

The question then recurring on the original motion to adopt, as amended, it was

Adopted.

S. B. No. 19. entitled "A Bill for an "Act to provide for the payment of "the balance of Wm. Wlust for translating the Constitution of the State "into the German Language"

Taken up.

Mr Butters moved.

To refer to Committee on Engrossment.

Carried.

S. B. No. 18 entitled "A Bill for an

"Act to repeal an Act concerning
"Practice in the District and Probate
"Courts. Approved Febry. 4th 1876." ——
Taken up. and ——
Referred to Committee of the Whole. —

S. B. No. 17. entitled "A. Bill for an
"Act to provide a Bailiff for the
"Supreme Court and to regulate
"the compensation of such Officer"
Taken up, and ——
Referred to Committee of the Whole. —

S. B. No. 15 entitled. "A Bill for an
"Act to provide for and regulate the
"holding of the District Courts in the
"Several Judicial Districts in the State,
"and the manner of commencing and
"adjourning the same, and return of
"process and providing for transfer of
"causes therein, and to repeal all other
"acts in relation thereto," ——
Taken up. and ——
Referred to Committee of the Whole. —

S. B. No. 21. entitled "A Bill for an
"Act to amend an act entitled 'An
"act authorizing the County Com-

"missioners of the County of Las
"Animas to levy a Special Tax to
"build a Court House" ——

Taken up. ——

Mr Taylor moved, ——
To refer to Committee on Finance,
Ways and Means. ——
Carried. ——

The title to. was read, and ——
The President announced the signing
of ——
S. B. No. 3. entitled "An Act to provide
"for canvassing the Votes for Regents of
"the University of Colorado" ——

Mr Bennet asked unanimous con-
sent to introduce the following ——
—— Resolution. ——
"Resolved. ——
"—— That the Secretary of State
"be requested to inform the Senate
"why he has not provided the Gen-
"eral Assembly with copies of the
"Revised Statutes of Colorado, which
"he has been heretofore authorized
"to procure for its use." ——
Consent granted and ——

Resolution adopted

Mr Bennett asked unanimous consent to introduce the following

Resolution.

"Resolved.

"That the Secretary of State "be requested to inform the Senate "whether he has contracted for the "public printing, and if so, with "whom, and at what rates, — also. — "To report to the Senate the progress, "if any, of the printing of the Governor's Message and accompanying Documents, and also. "Report all contracts made by him "under authority of "An act to provide "for the contingent Expenses of this "General Assembly"

Consent granted and Resolution adopted

Mr Haynes asked unanimous consent to take up. S. B. No. 26. entitled "A Bill for an "Act to provide for the formation of Corporations."

and

S. B. No. 28 entitled "A Bill for an "Act regulating Elections, and repealing all Territorial Acts upon the "subject"

Consent granted.

Mr Taylor moved.
To grant Mr Barela leave of absence until Tuesday next.
Carried.

Mr Bennet moved.
To refer S. B. No 26 and S. B. No 28 to Committee on Printing
Carried.

Mr Bennet moved.
That the Senate resolve itself into Committee of the Whole on General File.
Carried.

So the Senate resolved itself into Committee of the Whole with Mr Moynahan in the Chair.

The Committee of the Whole rose.
The Senate resumed its Session and

The following report was read.

Mr President

Your Committee of the Whole House have had under consideration S. B. No. 15. have made some progress and ask leave to sit again

James Monaghan
Chairman

Report received and request granted.

Mr Hamill moved.
To adjourn.
Carried

So at 12 M. the Senate adjourned.

Senate met at 2. P. M.
President in the Chair.
Quorum present.

Mr Hamilton moved
To grant Mr Meldrum leave of absence for remainder of to-days session
Carried.

The title to. was read. and
The President announced the signing of
H. C. R. No 10. "Relative to Representative in Congress"

Mr Hamill moved.
That the Senate resolve itself into Committee of the Whole on S. B. No 15 and S B. No. 8.
Carried.

So the Senate resolved itself into Committee of the Whole with
Mr Moynahan in the Chair.

The Committee of the Whole rose.
The Senate resumed its session

Mr Hamilton from the Joint Committee on Enrollment reported as follows.

State of Colorado
Senate Chamber
Denver. Dec. 7th 1876

Mr President

Your Joint Committee on Enrollment beg leave to report that they have examined S. B. No. 3, with the Engrossed Copy and find that the same is correctly enrolled and further report the same signed by the Speaker of the House of Representatives and placed in the hands of His Excellency, the Governor for his approval this 7th day of December A.D. 1876 at Two (2) O'clock and Fifteen (15) minutes P. M.

W. B. Hamilton
Chairman Senate Joint Committee on Enrollment

Mr Bennet moved.
That the Senate resolve itself

into Committee of the Whole on S. B. No. 17.

Division called for, with following result

Ayes. - 15.

Noes. - 1

So the Senate resolved itself into Committee of the Whole, with Mr Gardner in the Chair.

The Committee of the Whole rose -

The Senate resumed its session and

The following report was read.

Mr President

Your Committee of the Whole have had under consideration S. B. No. 8 and S. B. No. 15, have made sundry amendments to each, (herewith transmitted) and have instructed me to report the same back to the Senate with the recommendation that S. B. No. 15. do pass with such amendments and

That S. B. No. 8. be Printed as amended -

James Moynahan

Chairman

also.

The following report was read -

Mr President

Your Committee of the Whole House have had under consideration S. B. No. 17. have made sundry amendments thereto, (herewith transmitted) and have instructed me. to report the same back to the Senate with the recommendation that it be engrossed as amended.

J. F. Gardner
Chairman

Mr Hamill moved

That the amendments to S. B. No 8. as reported from the Committee of the Whole. be agreed to and the Bill engrossed as amended.

Mr Bennet called for Division of the question, so far as it concerned the adoption of the amendments.

Mr De France moved.

That the Bill as amended. be printed for the consideration of the Senate

Carried.

Mr Hamill moved,
To adjourn
Carried
So at 4⁴⁰ P. M. the Senate adjourned.

Journal of the Senate

December 8th 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Friday, December 8th 1876

Senate met pursuant to adjournment
President in the Chair.
Roll Call
Absent - Messrs. Barela & Meyer,
(excused) De France and
Gardner.
Quorum present.
Prayer by the Chaplain

Mr Clelland moved
To grant Mr Gardner leave of absence until Monday next.
Carried.

Journal of yesterday read, and approved.

Mr De France appeared & took his seat.
Mr Bennet moved
To grant leave of absence to the Chaplain until Tuesday next
Carried

Mr Maxwell from the Committee on Engrossment reported as follows.

State of Colorado
Senate Chamber
December 8th 1876

To the
President of the Senate.

Your Committee to whom was referred Senate Bill No 19, and Senate Bill No. 17. beg leave to report the same back to the Senate correctly engrossed

I. P. Maxwell
Chairman

Introduction of Resolutions

By Mr Garrison,
Resolved.

That the Standing Committee on Federal Relations be instructed to examine the question of securing the establishment of a Branch U. S. Mint at Denver, and report at an early day.

By Mr Bennet.
Resolved.

That the Standing Committee on State Institutions and Public Buildings be directed to consider the propriety of providing by General Law, that the construction of all Buildings used for public meetings and gatherings, whether Churches, Theatres, Large Hotel Buildings or State, County or City Halls and all large buildings used or built in whole or in part for the congregation of public audiences shall be so changed or made as to render them safe and convenient in all respects and especially so in regard to Egress in times of Fire or other sudden calamity and report by Bill or otherwise on or before the Twentieth December instant.

Mr. Hamill moved

To take up S.B. No 27

Carried

S. B. No 27, entitled "A Bill for an "Act to abolish the office of Territorial Assayer and to repeal all Acts "and parts of Acts regarding the establishing and maintaining such "Office and Officers": —

Read 1st time. —

Mr Hamill moved. —

To suspend the Rules and —

Refer S. B. No 27. to Committee on Mines and Mining —

Carried. —

Mr Butters moved —

To take up —

S. B. No. 19. entitled "A Bill for an "Act to provide for the payment of "the claim of Wm Wiest for translating "the Constitution of the State into the "German Language." — and —

Refer to Committee on Printing —

Carried. —

Mr Bennet asked unanimous consent to take up S. B. No. 17 and place it on 3d Reading and final passage. —

Consent granted —

S. B. No 17. entitled "A Bill for an "Act to provide a Bailiff for the "Supreme Court, and to regulate

"the Compensation of such Officer" —
Read 3rd time, and

Passed by the following vote. —

Ayes. – Messrs. Bates, Bennett, Butters, Chacon, Clelland, DeFrance, Ellsworth, Garrison, Hall, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders, Taylor, and Webster (President) — 23 —

Noes. – None. —

Title agreed to. —

S. B. No. 15, entitled "A Bill for an "Act to provide for and regulate the "holding of the District Courts in the "several Judicial Districts in this "State and the manner of commencing "and adjourning the same, and return "of process and providing for transfer "of causes therein and to repeal all "other acts in relation thereto" — as Reported back from Committee of the Whole —

Taken up.

Mr Butters moved.
To adopt amendments, reported from Committee of the Whole.
Carried.

Mr Butters moved.
To refer S. B. No. 15, to Committee on Engrossment.
Carried.

Message from the Governor

State of Colorado
Executive Department.
Denver, Dec. 7th 1876.

Hon W. H. ~~Webster~~
President of Senate
Sir,

I have the honor to inform you, that I have this day signed Senate Bill No. 3, entitled "An Act to provide for canvassing "the votes cast at the last General "Election for Regents of the University" and have filed the same with the Secretary of State.

Very Respectfully

John L. Routt
Governor.

Mr Butters moved.
To adjourn until to-morrow at 10 am
Division called for, with following result

Ayes. - 6
Noes. - 14

So the motion was Lost.

Mr Randall moved.
To go into Committee of the Whole on General File.
Carried

So the Senate resolved itself into Committee of the Whole, with Mr Hamill in the Chair

The Committee of the Whole rose, and The Senate resumed its Session for the purpose of receiving the following

Messages from the House.

State of Colorado.

Chamber of the House of Representatives

Denver, Dec. 7th 1876.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has adopted the amendments proposed to H. B. No 4, by the Committee of Conference and the concurrence of the Senate is respectfully requested therein

H. B. No. 4. and H. B. No 4. as amended are herewith transmitted

also.

I am instructed to inform your Honorable Body that the House has adopted S. C. R. No. 3. and appointed Messrs Ransom, Pierce and Rand on said Committee on the part of the House

S. C. R. No. 3, is herewith transmitted.

also.

I am instructed to inform your Honorable Body that the House has adopted H. C. R. No. 11. In relation to directing the Committees on Mines and Mining of the two Houses to visit the School of

And the concurrence of the Senate is respectfully requested.

H. C. R. No. 11. is herewith transmitted.

also

Under Date of Dec. 8th 1876

I am instructed to inform your Honorable Body, that the House has passed H. B. No. 43. and the concurrence of the Senate is respectfully requested therein

H. B. No. 43, herewith transmitted

Respectfully
W. B. Fellows
Chief Clerk of the House.

The Senate again resolved itself into Committee of the Whole, with Mr Hamill in the Chair.

The Committee of the Whole, rose. The Senate resumed its Session and The following report was read.

Mr President

Your Committee of the Whole have had under consideration H. B. No. 12, have made sundry amendments thereto and have instructed me

Senate (with such amendments) with the recommendation that the Bill be refered to the Judiciary Committee—

William A. Hamill—
Chairman—

Mr Bennet moved.—
To adopt report and—
To refer Bill as recommended.—
Carried.—

Mr Hall, by unanimous consent introduced—
S. B. No. 33. entitled "A Bill for an "Act prescribing the duties of the "State Auditor in certain cases"—

Message from the House, relative to charge of House Committee Rooms—
Taken up and read.—

Mr Butters moved.—
That the Keeper of the Committee Rooms of the Senate be instructed to take care of the House Committee Rooms.—
Carried.—

To adjourn.
Division called for with following result.

Ayes - 4.

Noes - 12.

So the motion was
Lost

Mr Haynes moved.
To adjourn until to-morrow morning at 10 O'clock.
Division called for and motion carried by following vote

Ayes - 16

Noes - 3.

So at Twelve O'clock and Fifteen minutes the Senate adjourned.

Journal of the Senate

December 9th 1876

Approval

Senate
First Session
Saturday December 9th 1876.

Senate met pursuant to adjournment-
President in the Chair—
Roll Call.—
Absent- Messrs Barela, Gardner and
Meyer, (excused) Bates, Haynes, and
Saunders.
Quorum present.—

Mr Ellsworth moved.—
To grant Mr Bates leave of absence
until Monday morning, next.—
Carried—

Mr Maxwell moved.—
To grant Mr Haynes leave of absence until Monday morning, next—
Carried.—

Journal of yesterday read, and
approved.—

Mr Maxwell from the Committee

follows:

State of Colorado
Senate Chamber
December 9 - 1876

To the
President of the Senate

Your Committee to whom was referred S. B. No. 15 beg leave to report the same back to the Senate correctly engrossed.

J. P. Maxwell
Chairman

Introduction of Bills

By Mr Bates
S. B. No. 34, entitled "A Bill for an "Act to provide for Licensing Mercantile Agents"

By Mr Hill
S. B. No. 35, entitled "A Bill for an "Act to regulate the compensation "of the Mayor, Aldermen and Trustees "of Cities and Towns."

Mr Saunders appeared and took his seat

H. B. No. 43. entitled "A Bill for "an Act to provide for an appropriation for the expenses of the "General Assembly of the State "of Colorado including the Per "Diem and Mileage of Members and the "pay of the Officers and Employees "thereof" ——

Read 1st time ——

S. B. No 15, entitled "A Bill for an "Act to provide for and regulate "the holding of the District Courts "in the several Judicial Districts "in this State, and the manner "of commencing and adjourning the "same, and return of process and "providing for transfer of causes "therein and to repeal all other acts "in relation thereto" ——

Read 3d time ——

By unanimous consent the following amendment was made ——

In Section 11. last paragraph, insert the word "in" after the word "papers" —

The Bill was then passed by the following vote. ——

Ayes — Messrs Bennet, Butlers, Chacon,

Clelland, Dr France, Ellsworth, Gaussoin, Hall, Hamill, Hamilton, Henson, Hill, Johnson, Maxwell, Meldrum, Morganham, Randall, Rockwell, Saunders, Taylor, and Webster (President) —— 21 —

Noes. —— None. —

Absent & Not Voting ——

Messrs. Barela, Bates, Gardner, Haynes, & Meyer —— 5. —

Mr Rockwell moved, ——
To amend Title by inserting after the word "therein" and before the word "and" the following words "And for continuing "causes, actions & proceedings therein in "case of adjournment" ——
Carried. ——

Title agreed to as amended. ——

Senate Resolution in Relation to establishment of Branch U. S. Mint at Denver. ——
Taken up. ——

Mr Hamill moved. ——

To refer to Committee on Federal Relations

Division called for with following result

Ayes. - 12.

Noes. - 2.

So the motion was.

adopted.

Senate Resolution in relation to safety of Public Buildings

Taken up.

Mr Bennet moved.

To adopt the Resolution.

Carried.

Mr Maxwell moved.

To reconsider the vote whereby Senate Resolution in relation to establishment of Branch U. S. Mint at Denver was referred to Committee on Federal Relations

Carried.

Mr Hamill withdrew motion to refer.

Mr Bennet moved.

To adopt the Resolution ——
Carried ——

H. C. R. No. 11. In relation to visiting the School of Mines at Golden. ——
Taken up ——
Read. ——

Mr Bennet moved. ——
To postpone consideration of the Resolution until the 1st Monday in January. ——
Lost. ——

Mr Moynahan moved. ——
To Concur in H. C. R. No. 11. ——
Ayes and Noes called with following result ——

Ayes.—Messrs. Britton, Chacon, Clelland, De France, Garrison, Hall, Hamill, Hamilton, Henson, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders, Taylor, and Webster (President) —— 19

Noes.—Mr Bennet —— 1.

Absent & Not Voting ——
—— Messrs. Barela, Bates, Ellsworth

Gardner, Haynes, and Meyer, — 6.

So the Senate concurred in H. C. R. No. 11.

Mr De France asked leave of absence for remainder of to-days session —

Mr Maxwell moved. —
To grant request. —
Carried —

H. B. No 4. entitled "A Bill for an "Act to repeal Section Sixty-eight "of Chapter Fifty and Sections Six and "Seven of Chapter Forty-eight of the "Revised Statutes of Colorado, relating "to the issuing of execution against "the body of a Defendant in Civil Actions and to enact other provisions "in lieu thereof" —
Read. —

Mr Bennett moved. —
To lay on the Table. —
Carried. —

Communication from the Secretary of State in response to Resolutions adopted by the Senate on the 7th instant and containing the information requested.

Received and Read.

Mr Randall moved,
To refer to Committee on Finance Ways and Means.
Carried.

Mr Butler moved,
That Reports of State Officers and State Institutions be transmitted to the Secretary of State.
Carried.

Mr Bennet offered the following Resolution

"Resolved,
" ——— As the sense of the Senate
"that the Governor's Message only, and
"not the accompanying Reports be print-
"ed in the Spanish Language and
"that the Secretary of State be at
"once notified thereof."

Mr Bennet moved,
To adopt Resolution

Ayes and Noes called for with following result ——

Ayes.—Messrs. Bennett, Clelland, Maxwell & Randall —— 4.—

Noes.—Messrs. Butters, Chacon, Ellsworth, Gaussoin, Hall, Hamill, Hamilton, Henson, Hill, Johnson, Meldrum, Moynahan, Rockwell, Saunders, Taylor & Webster (President) —— 16.—

Absent & Not Voting ——
—— Messrs. Barela, Bates, DeFrance, Gardner, Haynes and Meyer —— 6.—

So the Senate refused to adopt the Resolution ——

Mr Butters offered the following Resolution. ——

"Resolved. ——

"—— That the Secretary of the "Senate be instructed to inform the "Secretary of State that in the o-"pinion of the Senate H. C. R. No 9, "authorizes the printing of all the

"Documents referred to in the Reso-lution, in the Spanish Language."—

Mr Butters moved.—
To adopt Resolution —

Ayes & Noes, called for with following result.—
Ayes.—Messrs. Butters, Chacon, Ellsworth, Gaussoin, Hall, Hamill
Hamilton, Henson, Hill, Johnson, Meldrum, Moynahan,
Rockwell, Saunders, Taylor,
& Webster (President) — 16.—

Noes.—Messrs. Bennet, Clelland,
Maxwell, & Randall — 4.—

Absent & Not Voting —
— Messrs. Barela, Bates, DeFrance,
Haynes, Gardner & Meyer — 6.—

So the Resolution was.
Adopted.

Mr Bennet moved.
To refer the subject matter of the Governor's Message to the Committee

of the Whole.
Carried.

Mr Randall moved.
To adjourn until Monday Morning
at 10 O'clock.
Carried.

So at Twelve O'clock and Fifteen minutes the Senate adjourned.

Journal of the Senate

December 11th 1876.

Adjourned

General Assembly of Colorado.

Senate

First Session

Monday, December 11th 1876.

Senate met pursuant to adjournment.

President in the Chair

Roll Call

Absent. - Messrs. Barela, (excused) De France, Meyer, Maxwell, and Rockwell.

Quorum present.

Mr Saunders moved.
To grant Mr Maxwell leave of absence for this morning's session.
Carried

Mr Haynes moved.
To grant Mr De France leave of absence for this morning's session.
Carried.

Prayer by the Chaplain Rev. Mr Sturtevant.

and approved.

Mr Johnson from the Committee on Printing reported as follows.

State of Colorado
Senate Chamber
December 11th 1876

To the
President of the Senate

Your Committee to whom was referred Senate Bill No. 19, beg leave to report the same back to the Senate correctly printed

Albert Johnson
Chairman

Mr Butters moved.
That S. B. No 19. be placed on file for 3rd reading.
Division called for.
A quorum not voting - the ayes and Noes were called with following result
Ayes - Messrs. Bates, Butters, Chacon, Clelland, Ellsworth, Gardner, Gansson, Hall, Hamill, Hill Johnson, Randall, Saunders, and Webster (President) —— 14.

Haynes, Henson, Meldrum, Morgnahan and Taylor — 7

Absent and Not Voting —
Messrs. Barela, De France, Maxwell, Meyer and Rockwell — 5.

So the motion was adopted.

Mr Ellsworth from the Committee on Incorporations reported as follows:—

State of Colorado
Senate Chamber
Dec. 11th 1876.

To the
President of the Senate.

Your Committee to whom was referred H. B. No. 19. beg leave to report the same back to the Senate without amendment.

also.

Your Committee to whom was referred Senate Bill No. 20. beg leave to report the same back to the Senate with the recommendation that further action thereto be indefinitely post-

L. C. Ellsworth
Chairman

H. B. No 19. placed on file for 3d reading.

Mr Gardner moved.
To adopt report of Committee on Incorporations recommending postponement of further action on S. B. No. 20, entitled "A Bill for an Act to "vacate unoccupied Town-Sites and Streets" Carried.

Mr Saunders introduced the following resolution

"Resolved.
" That the Standing Committees
"on State Institutions and Public Buildings
"by themselves, or by a Sub-Committee
"from their number, be instructed to
"make careful inquiry into the con-
"dition and structure of the Buildings in
"which the inmates of the Deaf-Mute
"Institute, at Colorado Springs and the
"Penitentiary at Canon City, are usually
"kept, with reference to their safe escape

"therefrom, in case of a fire, that might
"endanger their safety or their lives:
"And if unable to obtain the necessary
"information by inquiry, to visit those
"institutions in person with the above
"named object in view and report to the
"General Assembly at as early a day
"as practicable" —

Mr Saunders asked unanimous consent
to consider at once. —
Consent refused. —

Mr Saunders moved. —
To suspend the Rules for the purpose
of considering Resolution introduced by
him. —
Division called for, resulting as follows.
Ayes. — 8 —
Noes. — 8 —
So the motion was —
Lost. —

Mr Hill introduced —
S. B. No. 36. entitled "A Bill for an Act
"to prohibit the Herding of Sheep, in
"the neighborhood of Cities and Towns" —

H. B. No. 43. entitled "A Bill for an "Act to provide for an appropriation "for the expenses of the General Assembly of the State of Colorado, including "the per diem and mileage of Members "and the pay of the Officers and Employees "thereof" —

Read 2nd time —

Mr Saunders moved. —
To refer to Committee of the Whole. —
Carried. —

S. B. No. 19 entitled "A Bill for an "Act to provide for the payment of the "Claim of Wm. Wiest for translating the "Constitution of the State into the German Language" —

Read 3d time. —

Mr Butler moved. —
To refer to Committee on Judiciary. —
Carried. —

H. B. No 19, entitled "A Bill for an "Act to provide for the sale of unclaimed Lots and Parcels of Land in the City "of Black Hawk and to repeal Sections

"2, of an act for the relief of the
"City of Black Hawk, approved Feb. 9th
"1876" ——

Read 3d time and ——

Passed by following vote ——

Ayes.– Messrs. Bates, Bruck, Butters, Chacon, Clelland, Ellsworth, Gardner, Garrison, Hall, Hamill, Hamilton, Haynes, Henson, Hill, Johnson, Meldrum, Maynahan, Randall, Saunders, Taylor and Webster (President) — 21 —

Noes. —— None

Absent and Not Voting ——

Messrs. Barela, De France, Maxwell, Meyer, and Rockwell. — 5 —

Mr. Haynes moved. ——

To take up H. B. No. 4 entitled "A Bill "for an act to repeal Section Sixty-eight "of Chapter Fifty and Sections Six and Seven "of Chapter Forty-eight of the Revised "Statutes of Colorado relating to the "issuing of Executions against the body "of a defendant in civil actions and to "enact other provisions in lieu thereof" —

Carried. ——

Mr Haynes moved ——
To lay H. B. No 4. on the Table. ——
Carried ——

Mr Brunt. by unanimous consent introduced the following resolution ——

"Whereas. ——
" The General Assembly having
" received notice that on the
" first Monday of December in-
" stant the Senate of the United
" States did determine by lot,
" in accordance with law, that
" the term of the Hon Henry M.
" Teller one of the Senators in
" Congress for the State of Colo-
" rado would expire on the 4th
" of March next, — Therefore, —
"Resolved. ——
" That this Senate do proceed
"on Tuesday, the 12th day of December
"instant, (that being the second Tues-
"day after notice of such proceedings
"had by the United States Senate) in
"accordance with law, to the election of
"one person for Senator in Congress for

"the State of Colorado for the term of
"six years from the 4th day of March
"A.D. 1877"

Mr Hamill moved.
To adopt Resolution
Carried

Mr Hamill moved.
To grant Messrs Rockwell & Meyer
leave of absence until to-morrow
Carried.

Mr Hereson moved.
To adjourn until 10 am to-morrow
Carried.

So at 11⁴⁰ am. the Senate adjourned.

Journal of the Senate

December 12th 1876.

Approved:

General Assembly of Colorado.

Senate
First Session
Tuesday, December 12th 1876.

Senate met pursuant to adjournment—
President in the Chair —
Roll Call. —
Absent — Messrs Barela & Meyer. —

Quorum present. —

Mr. Taylor moved. —
To grant Mr Barela leave of absence until Thursday morning, next. —
Carried. —

Prayer by the Chaplain —
Journal of yesterday read, & approved. —

Reports of Standing Committees

Committee on Finance, Ways & Means reported as follows. —

Mr President —

Your Committee to whom

was referred the communication of the Secretary of State touching the matter of contracts let under authority of an act to provide for the expenses of the Legislative, Executive and Judicial departments of the State, passed at the present session of the General Assembly have had the same under consideration and beg leave to report. ——

That they visited the office of the said Secretary and examined the various specifications, bids and contracts upon the subject of the communication and believe that in each case the contract was awarded to the lowest bidder and at prices that are satisfactory ——

Your Committee visited the rooms leased for the use of the Executive and Judicial Departments and found them to be commodious and well adapted to the purposes intended ——

Respectfully Submitted ——

Alfred Butters ——
James Clelland ——
Isaac W. Hill ——
J. P. Maxwell ——
Albert Johnson ——
Joseph E. Bates ——

R. H. McEldenne.

Committee on Printing reported as follows.

To the

President of the Senate

Your Committee to whom was referred Senate Bill No. 26, beg leave to report the same back to the Senate correctly printed, except the following viz.:

The word "may" should be added to the third line in Sec. 21.

The first word in line 3. Sec. 24. should be "hereafter" instead of "heretofore".

The figure "7" at the end of the 8th line in Sec. 41. should be omitted.

The word "thereof" should be inserted between the words "holder" and "is" in the 7th line of Sec. 50;

The word "in" should be inserted between the words "in" and "cash" in the 3d line in Sec. 57,

The word "thousand" should be inserted after the word "fifty" in the 2nd line of Sec. 71.

The word "further" should be substituted for the word "former" in the 20th line of Sec. 80, and the word "fifty" should be substituted for the word "forty" in the 1st line of Sec. 103. and the word "delivering" should be substituted for the word "delivery" in the 1st line of Sec. 116

Albert Johnson
Chairman

Introduction of Bills

By Mr Maxwell.
S. B. No 37, entitled "A Bill for an Act to "establish and maintain a System of Free Schools"

By Mr Ellsworth.
S. B. No. 38, entitled "A Bill for an Act to "provide for the Exercise of the Right of "Eminent Domain"

By Mr Rockwell.
S. B. No. 39, entitled "A Bill for an Act to "repeal Sections 26 & 32, of Chapter 27. "of the Revised Statutes, concerning "Ejectment"

also,

S. B. No 40, entitled "A Bill for an Act "to repeal an act defining further "causes for attachment"

S. C. R. No 1, "In Relation to safety "of State Buildings"
Read.

Mr Saunders moved.
To adopt.
Ayes and Noes called with following result.

Ayes. - Messrs. Gardner, Gaussoin, Henson, Johnson, Maxwell, Rockwell, Saunders and Webster (President) - 8 -

Noes. - Messrs. Bates, Bennett, Butters, Chacon, Clelland, De France, Hall, Hamill, Hamilton, Haynes, Hill, Meldrum, Monaghan, Randall and Taylor - 15 -

Absent and Not Voting
Messrs. Barela, Ellsworth and Meyer - 3.

So the Senate refused to adopt the resolution.

Mr Chacon asked to be excused from further service as Chairman of the Committee on Indian affairs.

Mr Saunders moved.
To grant request.
Carried

Mr Hamill moved.
To elect Mr Gaussoin as Chairman of Committee on Indian Affairs.
Carried.

Mr Moynihan moved:
To grant Mr Kavanaugh, Doorkeeper, leave of absence for a few days on account of sickness.
Carried

Mr Haynes moved.
That the Senate do now proceed to the election of one person for Senator in Congress for the State of Colorado for the term of six years from the 4th day of March AD. 1877.
Carried.
So the Senate proceeded to the

Election of United States Senator

Nominations being in order.
Mr Meldrum nominated

Henry M. Teller of Gilpin County

Mr Clelland nominated

Thomas Macon of Fremont County

There being no further nominations the roll of Senators was called and the vote of the Senate was recorded as follows.

Senators. Baker. Bennet, Butters.
Chacon, Ellsmith, Gardner,
Hall, Harrell, Haynes, Henson, Johnson, Maxwell, Meldrum, Moynahan, Randall,
Rockwell, Saunders & Webster
18 - Voted for Henry M. Teller

Senators. Clelland, De France, Gammon
Hamilton, Hill and Taylor
6 - Voted for Thomas Macon

Senators Barela & Meyer
2 - absent & not voting

The result of the said vote was duly declared by the President

Mr Maxwell moved

That the Senate resolve itself into the Committee of the Whole on H. B. No. 43.

Carried.

So the Senate went into Committee of the Whole with

Mr Hill in the Chair

The Committee of the Whole rose.

The Senate resumed its Session and

The following report was read.

Mr President

The Committee of the Whole House have had under consideration H. B. No. 43, and have instructed me to report the same back to the Senate with the recommendation that it do pass

I. W. Hill

Chairman

Mr Maxwell moved.

To suspend the Rules and

Put H. B. No. 43 on 3rd Reading and final passage

Carried

H. B. No. 13. entitled "A Bill for an "Act to provide for an appropriation "for the expenses of the General Assembly "of the State of Colorado, including the "per diem and mileage of Members and "the pay of the Officers and Employees "thereof"

Read 3rd time and

Passed by the following vote

Ayes - Messrs. Bennett, Butters, Clacom, Clilland, De France, Ellsworth, Gardner, Gaussion, Hall, Hamilton, Haynes, Henson, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders, Taylor and Webster (President) — 22.

Noes - Messrs. Bates and Hamill — 2.

Absent and Not Voting

Messrs. Barela and Meyer — 2.

Title agreed to.

Mr Butters moved.

To grant Mr Ellsworth leave of absence for remainder of morning session

Carried

Mr Butters moved.
That the Senate resolve itself into the Committee of the Whole on H.B. No. 11
Carried.

So the Senate went into Committee of the Whole on
H.B. No. 11. entitled "A Bill for an "Act to provide for the holding of Two "or more terms of the Supreme Court "of the State of Colorado Annually, and "to make certain regulations incident "thereto" - with
Mr Meldrum in the Chair.

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President.

Your Committee of the Whole House have had under consideration H.B. No. 11. have made sundry amendments thereto (herewith transmitted) and have instructed me to report the same back to the Senate, with the recommendation that it do pass with such amendments

N. H. Meldrum
Chairman

Mr Butters moved.
To adopt amendments recommended by Committee of the Whole
Carried

Mr Bennett (by unanimous consent) introduced
S. B. No. 41, entitled "A Bill for an
"Act, providing for the time when the
"Sheriffs of the Counties of this State
"Shall commence their terms of office"

Mr Bennett moved.
To refer to Committee on Counties and County Lines
Carried.

Mr Butters moved.
To adjourn until 10 am. to-morrow
Carried

So at 12 M. the Senate adjourned

Journal of the Senate

December 13th 1876.

Appendix.

General Assembly of Colorado.

Senate
First Session
Wednesday, December 13th 1876

Senate met pursuant to adjournment—
President in the Chair —
Roll Call. —
Absent.— Messrs. Barela (excused)
Bennet, De France, Maxwell
and Meyer —

Quorum present —

Mr Saunders moved —
To grant Mr Maxwell leave of absence for morning session —
Carried. —

Prayer by the Chaplain —

Journal of yesterday read, corrected and approved. —

Messrs. Bennet and De France appeared and took their seats. —

Reports of Standing Committees

Committee on Engrossment reported as follows.

State of Colorado
Senate Chamber
Dec. 13th 1876.

To the
President of the Senate

Your Committee to whom was referred H. B. No. 11 beg leave to report the same back to the Senate with amendments correctly engrossed.

T. O. Saunders

Committee on Printing reported as follows.

State of Colorado
Senate Chamber
Dec. 13th 1876.

To the
President of the Senate

Your Committee to whom was referred Senate Bill No. 8, beg leave to report the same back to the Senate correctly printed, except that the words "witness or" should be added to line 13, Sec. 7

Albert Johnson
Chairman.

Mr Rockwell moved.
To refer
H. B. No. 11. entitled "A Bill for an "Act to provide for the holding of two "or more terms of the Supreme Court "of the State of Colorado, annually, and "to make certain regulations incident "thereto"
to Judiciary Committee
Carried.

The Conference Committee on
H. B. No. 4, entitled "A Bill for an "Act to repeal Section sixty-eight of "Chapter Fifty and Sections Six and Seven "of Chapter Forty-eight of the Revised "Statutes of Colorado, relating to the "issuing of Executions against the body "of a Defendant in Civil Actions, and "to enact other provisions in lieu thereof
reported as follows.
To the

President of the Senate

The Conference Committee appointed by the Senate upon the disagreements of the Two Houses of the Legislative Assembly on House Bill No. 4. have conferred with the Conference Committee of the House of Representatives appointed for the same purpose. & beg leave to report. —

That certain concessions having been made in said conference on behalf of each House, the Committees thereupon agreed to amend the Bill by striking out all after the enacting clause, and inserting in lieu thereof certain sections, herewith transmitted.

Respectfully submitted —

A. H. De France —

S. B. A. Haynes —

Conference Committee on the part of the Senate

Mr Haynes moved. —

To lay Report & Accompanying Bill on the Table —

Carried —

Introduction of Bills. —

By Mr McClelland. —

S. B. No. 42, entitled "A Bill for an "Act providing for the Foreclosure of

"Deeds of Trust" ——

By Mr Randall. ——

S.B. No 43, entitled "A Bill for an "Act to provide for the Selection, Location, Appraisal, Sale & Leasing of "State Lands" ——

By Mr Butters. ——

S.B. No. 44, entitled "A Bill for an "Act to prescribe certain powers and "duties of the Officers of the Executive "Department and certain rules in "relation to the fiscal affairs of the "State," ——

Unanimous consent being given S.B No. 43, & S.B. No. 44, were referred to Committee on Printing, with orders to print. ——

Mr Rockwell moved, ——

To adopt amendments proposed by Committee of the Whole to ——

S.B. No. 8, entitled "A Bill for an "Act regulating the power of granting "and disolving injunctions and re-"straining orders and the mode of

"obtaining mandatory writs of in-
"junction and the practice under
"each, in case of disobedience, and to
"repeal Chap. 43. of the Revised Stat-
"utes and Sec. 2. of an act concerning
"mines, approved Feby. 13 1874, and the
"act amendatory thereof, entitled an
"act to amend an act entitled an act
"concerning mines, approved Feby. 13th 1874
"and approved Feby 11th 1876" —

Carried. —

Mr Bennet moved. —

That S. B. No. 8. be ordered Engrossed for
a 3d Reading —

Carried. —

Mr Haynes moved. —

To take up —

H. B. No. 4. and Report of Conference Committee

Carried. —

Mr Haynes moved. —

To adopt amendments proposed by
Conference Committee on H. B. No. 4. —

Mr Hamill moved. —

To re-refer to Committee of Conference

Mr Bennet moved.
To lay on the Table
Carried.

Mr Hamill moved.
To grant Committee on Mines and Mining leave of absence for to-morrows session to enable it to visit School of Mines at Golden.
Carried.

Message from the House.

State of Colorado,
Chamber of the House of Representatives
Denver, Dec. 13th 1876.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House is ready to receive the Senate in Joint Convention to declare the vote had yesterday upon the election of a U. S. Senator

Respectfully
W. B. Fellows
Chief Clerk of the House.

Mr Haynes moved.

That the Senate do now proceed to the Hall of the House of Representatives in accordance with the invitation of the House.

Carried.

So at 12 O'clock M. the Senate proceeded to the Hall of the House of Representatives.

Joint Convention

In pursuance of law, the two Houses of the General Assembly of the State of Colorado, met in Joint Convention in the Hall of the House of Representatives on Wednesday, the 13th day of December AD. 1876 at 12 O'clock M.

Mr. President pro tempore of the Senate being the Presiding Officer of the Joint Convention

The Roll was called.

Absent — Messrs. Baca, Maxwell and Meyer of the Senate
Messrs. Alberts, Irwin, Larrazolo, McIntire, Moss and Vigil of the House.

Total number present — 66.
23 Senators and
43 Members of the House of Representatives.

There being a quorum present —

The President of the Joint Convention stated the object of the Convention to be, ——————

To hear the reading of the Journals of the Two Houses, of yesterday relating to the election of one person for Senator in Congress, for the State of Colorado for the term of Six years from the 4th day of March A.D. 1877. which proceedings were recorded in the Journals of each House on Tuesday December 12th A.D. 1876. ——————

The Secretary of the Senate then proceeded to read the Journal of the Senate as follows: ——————

Mr Haynes moved. ——

That the Senate do now proceed to the election of one person for Senator in Congress, for the State of Colorado for the term of six years from the 4th day of March A.D. 1877. ——

Carried. ——

So the Senate proceeded to the ——

Election of United States Senator

Nominations being in order ——

Mr Meldrum nominated ——

Henry M. Teller of Gilpin County ——

Mr Clelland nominated ——

Thomas Macon of Fremont County ——

There being no further nominations, the roll of Senators was called and the vote of the Senate was recorded as follows. ——

Senators Bates, Bennett, Butters, Chacon, Ellsworth, Gardner, Hall, Hamill, Haynes, Henson, Johnson, Maxwell, Meldrum, Maynahan, Randall, Rothwell, Saunders and Webster

18, Voted for Henry M. Teller

Senators Clelland, De France, Gaussion, Hamilton, Hill and Taylor

6 Voted for Thomas Macon.

Senators Barela and Meyer

2. absent and not voting

The result of the said vote was duly declared by the President

The Chief Clerk of the House then proceeded to read the Journal of the House as follows.

Mr Simmons moved.

That the Special order for this day being the Election of a United States Senator for a term of six years beginning March 4th 1877 be now taken up.

Which motion prevailed.

Mr Kittredge nominated Henry M. Teller

Mr Adams nominated Thomas Macon

The Roll was called.

Gentlemen voting for Henry M. Teller were.
Alford, Archuleta, Canfield, Gotthelf Green, Griffin, Helm, Kittredge, Kruse, Lake, Leonard, Mayer, Marshman McBroom, McIntyre, Morehouse, Patten Phelps, Pierce, Rainey, Ransom, Schinner, Simmons, Smith, Surber, Watts, Wilson, Geo W, Young, Anthony — 29

Gentlemen voting for Thomas Macon were.
Adams, Chaves, Carlile, Esquibel, Langford, Lord, Luther, McDermitt McMurray, Rand, Seiber, Stokes Wilkins, Wilson A.D. — 14

Gentlemen absent and not voting were
Alberts, Chacon, Irwin, Laraquete Moss, Vigil — 6

Henry M. Teller having received the votes of a majority of all the members elected to this House.
The Speaker declared him to be the

choice of this House for United States Senator for the State of Colorado, for six years beginning March 4th 1877.

Whereupon.

The President of the Convention, said From the Journals of the Two Houses it appears.

That Henry M. Teller received.
In the Senate —— 18 Votes, and
In the House of Representatives 29 Votes

That Thomas Macon, received
In the Senate —— 6 Votes and
In the House of Representatives - 14. Votes for Senator of the United States for the State of Colorado.

and

I now Declare.

That Henry M. Teller having received a majority of all the votes cast in both Houses of this General assembly is duly elected Senator of the United States for the State of Colorado in the Congress of the United States, for the term of six years from the 4th day of March A.D. 1877.

The Joint Convention then On motion of Mr Hamill Dissolved.

The Senators repaired to the Senate Chamber.

So at Twelve O'clock and Thirty minutes the Senate resumed its session

Mr Butters moved. To adjourn until 10 a.m. to-morrow. Carried.

So at Twelve O'clock and Forty minutes the Senate adjourned.

Journal of the Senate

December 14th 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Thursday, December 14th 1876.

Senate met pursuant to adjournment – President in the Chair. —

Roll Call. —

Absent, – Messrs Barela, Garrison Hamill, Johnson, Moynahan, & Rockwell (Excused) Bates Brunt, De France, & Meyer –

Quorum present. —

Prayer by the Chaplain. —

Messrs. Bates, Brunt & De France appeared and took their seats —

Journal of yesterday read & approved.

Reports of Standing Committees

Committee on State Institutions & Public Buildings reported as follows. —

State of Colorado
Senate Chamber
Denver, Dec 14th 1876.

Mr President

Your Committee on State Institutions and Public Buildings to whom was referred the Communication of the Secretary of State in relation to the lease of the room occupied by the General Assembly and also the conditional Lease made with Richd. E. Whitsett by the Secretary of State Oct. 11th 1876. have had the same under consideration and beg leave to report, That after a thorough examination of the buildings occupied and the bills for fitting the same, in shape for the use of the Assembly (Paid by Mr Whitsett) that Mr Whitsett be allowed at the rate of Four Hundred Dollars per month for the time said room shall be occupied by the General Assembly, and that the Secretary of State be notified of this action on the part of the Senate

Respectfully Submitted
Jos. E. Bates

J. P. Maxwell

Committee on Printing reported as follows.

To the

President of the Senate.

Your Committee to whom was referred Senate Bill No. 28. beg leave to report the same back to the Senate correctly printed, except as follows, to-wit

In Sec. 27. Line 3, between the words "of" and "election" the word "the" is omitted

In Sec. 60. Line 5. the word "Court" should be stricken out.

In Sec. 67. Line 1, the last "the" should be stricken out, and the word "the" inserted between the words "of" & "election"

In Sec. 82. Line 1. between the words "election" and "shall" the following has been omitted "or any City, or Charter election"

In Sec. 92. Line 2. the word "County" should be stricken out

In Sec. 93 the first line 3 should be stricken out — There should be added to line 2 in Sec. 97. the following: "of "whom shall belong to a different "political party than himself who

"shall be associated with him"
And in Sec. 116, in line 4, the Letter "s" should be added to the word "person"

Albert Johnson
Chairman

Mr Hall moved.
That the Senate do not receive Report of Committee on Printing

---

Mr Bennett moved.
To amend by referring the Bill back to the Committee with instructions to have the bill re-printed, correctly, without additional expense.
Carried.

The question recurring on original motion as amended it was.
Adopted.

So the Senate refused to receive the Report of Committee on Printing and ordered S. B. No. 28 to be re-printed.

Introduction of Bills

By Mr Baker

S. B. No 45, entitled "A Bill for an
"Act to reduce the law incorporating
"the City of Denver, and the several
"acts amendatory thereof, into one
"act and to revise and amend the
"same"

also.

S. B. No 46, entitled "A Bill for an
"Act to establish a Board of Police
"Commissioners in certain cities of the
"First Class"

By Mr Bennett

S. B. No. 47 entitled "A Bill for an
"Act to provide for the printing of the
"Constitution of the United States, the
"Declaration of Independence, the Enabling Act and Constitution of the State
"together with all the Laws of this
"State, in the most convenient and
"compact form with an index to the
"same".

By Mr Gardner,

S. B. No. 48, entitled "A Bill for an
"act to encourage the Growth of Timber
"and Fruit Trees"

Unanimous Consent being given –

S. B. No. 37 entitled "A Bill for an "Act to establish and maintain a "System of Free Schools" –

was referred to Committee on Printing with orders to print –

Mr Haynes moved. –

To take up –

H. B. No. 4, entitled "A Bill for an "Act to repeal Section Sixty-eight of "Chapter Fifty & Sections Six and Seven "of Chapter Forty-eight of the Revised "Statutes of Colorado relating to the "issuing of Execution against the body "of a Defendant in Civil Actions and "to enact other provisions in lieu thereof" – and

Report of Conference Committee thereon. –

Carried –

Mr Bennet moved. –

That the Senate do not agree to the report of the Committee of Conference on H. B. No 4. –

Carried. –

Mr Haynes moved —

That the Secretary notify the House of action taken by the Senate on H. B. No. 4, and ask appointment of a new Committee of Conference on the same. —

Carried —

Unanimous consent being given. —

S. B. No. 34, entitled "A Bill for an "Act to provide for licensing Mercan-"tile Agents" —

S. B. No 45 and —

S. B. No 46. —

were referred to Committee on Printing with orders to print. —

Unanimous consent being given. —

Committee on Incorporations reported as follows. —

To the

President of the Senate —

— Your Committee to whom was referred Senate Bill No. 5 beg leave to report the same back to the Senate with the recommendation that further action thereon be indefinitely postponed

L. C. Ellsworth
Chairman

Mr Maxwell moved
To adopt report of Committee on Incorporations.
Carried.

No further action on
S. B. No. 5. entitled "A Bill for an "Act regulating the privileges of Stock-"holders"
was indefinitely postponed.

Messages from the House.

State of Colorado
Chamber of the House of Representatives
Denver Dec. 14th 1876.

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has acceded to the request of the Senate for a second Committee of Conference relative to H. B. No. 4 and the Speaker has appointed on said

Committee, on the part of the House
Messrs Phelps, Adams & Kittredge.—

also.

I am instructed to inform your Honorable Body that the House has made sundry amendments to S. B. No. 15. and passed it as amended,—S. B. No. 15, and the amendments made by the House are herewith transmitted

also.

I am instructed to inform your Honorable Body, that the House has passed S. B. No. 17, by a 2/3 vote— S. B. No. 17. is herewith transmitted

Respectfully
W. B. Fellows
Chief Clerk of the House

The title was read &c
The President announced the signing of.
H. B. No 19, entitled "A Bill for an "Act to provide for the sale of unclaimed "Lots & Parcels of Land, in the City of "Black Hawk, and to repeal Section 2 "of an act for the relief of the City of

"Black-Hawk", approved Feb. 9th 1876"—
and

H.B. No. 43, entitled "A Bill for an "Act to Provide for an appropriation for "the expenses of the General Assembly "of the State of Colorado, including the "per diem and mileage of members and the "pay of the officers and employes thereof"—

Mr Bennet asked unanimous consent to take up for consideration —
S.B. No. 15 entitled "A Bill for an act "to provide for and regulate the holding "of the District Courts in the several "Judicial districts in this State and the "manner of commencing and adjourning the "same, and return of process, and providing "for transfer of causes therein, and to repeal "all other acts in relation thereto"—
Consent granted. —

Mr Bennet moved. —
To concur in amendments proposed by the House to S.B. No. 15. —

Mr Maxwell moved. —
To amend by referring S.B. No. 15 and proposed amendments to Committee of

the Whole

Carried.

Mr Bennett moved,
That the Senate resolve itself into Committee of the Whole on S. B. No. 15.
Carried.

So the Senate went into Committee of the Whole with
Mr Butters in the Chair

The Committee of the Whole rose.
The Senate resumed its Session and
The following report was read.

Mr President.

Your Committee of the Whole House have had under consideration S. B. No. 15. and the amendments proposed by the House to said Bill and have instructed me to report the Bill back to the Senate with the recommendation that the amendments of the House be concurred in.

Alfred Butters
Chairman.

Mr Butters moved.

To adopt report and
Concur in the amendments.
Ayes and Noes called with following result

Ayes.-Messrs. Baker, Bennett, Butters, Chacon, Clelland, De France, Ellsworth, Gardner, Hall, Hamilton, Haynes, Henson, Hill, Maxwell, Meldrum, Randall, Saunders, Taylor and Webster (President) — 19.

Noes. — None

Absent and Not Voting
Messrs. Barela, Gaussoin, Hamill, Johnson, Meyer, Moynahan and Rockwell — 7.

So the Report was adopted and amendments concurred in.

Mr Bennett moved.
To refer S. B. No. 15 to Committee on Enrollment with instructions to enroll as speedily as possible
Carried.
S. B. No. 17, entitled "A Bill for an "Act to provide a Bailiff for the Supreme

"Court and to regulate the compen-
"sation of such officer" ——

Referred to Committee on Enrollment-

Mr Butters moved, ——

That the President appoint members of Committee of Conference on H. B. No. 4, on part of the Senate. ——

Carried ——

The President appointed ——

Messrs. Haynes, De France and Bennet —

Mr Maxwell moved. ——

To adjourn until 10 am. to-morrow —

Carried ——

So at 12 O'clock and 15 minutes the Senate adjourned. ——

Journal of the Senate

December 15 1876

Appendix

General Assembly of Colorado.

Senate
First Session
Friday. December 15th 1876

Senate met pursuant to adjournment.
President in the Chair
Roll Call
absent – Messrs. Barela, Bates, Butler
De France, Johnson, Meyer
and Rockwell.

Quorum present.

Mr Hamill moved.
To grant Mr Bates leave of absence
for to-days session
Carried.

Mr Taylor moved,
To grant Mr Barela leave of absence
until Monday next.
Carried

Mr Hamill moved.
To grant Mr Meyer leave of absence
until the 22nd instant, such leave

to date from 9th instant
Carried

Prayer by the Chaplain.

Journal of yesterday read and approved.

Introduction of Bills

By Mr. Bates
S. B. No. 49. entitled "A Bill for an "Act to provide for the construction "of buildings used for public assemblages"

also

S. B. No. 50. entitled "A Bill for an "Act for the Government and Management "of the State Penitentiary"

Mr. Butters moved.
To take up and read first time, in the order in which they have been introduced Senate Bills now on file. This order to apply for this day only.
Carried.

S. B. No. 24. entitled "A Bill for an

"Act relating to Bonds & Interest
"thereon heretofore issued by Counties,
"Cities & Towns in aid of organized
"Railroads & Wagon roads and other
"purposes."

Read 1st time

Mr Ellsworth, by unanimous consent,
moved.

To refer to Committee on Printing
with orders to print

Carried.

S. B. No. 25 entitled "A Bill for an
"Act to repeal certain laws relating
"to Corporations".

Read 1st time

Mr Ellsworth by unanimous consent
moved.

To refer to Committee on Printing, with
orders to print.

Carried.

S. B. No 26. entitled "A Bill for an
"Act to provide for the formation of
"Corporations."

Read 1st time

Message from the Governor

State of Colorado,
Executive Department
Denver. Dec. 14th 1876.

Hon W. W. Webster
President of the Senate

Sir

I have the honor to transmit herewith the Report of the Commissioners to the International Exposition at Philadelphia, which is respectfully submitted for your consideration

Very Respectfully
John L. Routt
Governor

Mr Hamill moved.
To adjourn until 10 am. to-morrow
Carried.

So at 11^{50} am, the Senate adjourned.

Journal of the Senate

December 16th 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Saturday, December 16th 1876

Senate met pursuant to adjournment.

President in the Chair.

Roll Call.

Absent - Messrs Barela and Meyer, (excused)
De France, Haynes, Rockwell,
and Taylor,

Quorum present.

Prayer by the Chaplain

Journal of yesterday read and approved.

Reports of Standing Committees.

Committee on Enrollment reported as follows.

To the
President of the Senate

Your Committee to whom was refered Senate Bills Nos. 15 and 17, beg leave to report the same back to the Senate correctly enrolled.

Albert Johnson

Chairman

Committee on Engrossment reported as follows.

To the

President of the Senate

Your Committee to whom was refered S. B. No. 8, beg leave to report the same back to the Senate correctly engrossed.

J. P. Maxwell.

Chairman.

Messrs. De France, Rothwell and Haynes appeared and took their seats.

Committee on Printing reported as follows.

To the

President of the Senate

Your Committee to whom was refered Senate Bill No. 28, beg leave to report the same back to the

Senate probably correctly printed—

Albert Johnson —
Chairman. —

Committee on Immigration reported as follows. —

To the —
President of the Senate. —

—— Your Committee to whom was referred the subject of Immigration beg leave to report by bill, herewith submitted, with a general report on the subject for information of the Senate. —

T. O. Saunders —
Chairman. —

S. B. No. 8, entitled "A Bill for an act
"regulating the power of granting and
"dissolving injunctions and restraining
"orders, and the mode of obtaining
"mandatory writs of injunctions and
"the practice under each in case of
"disobedience and to repeal Chap. 43,
"of the Revised Statutes and Sec. 2 of
"an act concerning mines, approved
"Feby 13, 1874, and the act amendatory
"thereof, entitled an act to amend

"an act entitled an act concerning
"Mines. Approved Feby 13th 1874, and appro-
"ved Feby. 11th 1876"
Placed on file for 3d Reading.

Mr Bennett moved.
To refer Report on subject of Immigration to Committee on Printing, with orders to print.

Mr Haynes moved.
To lay on the Table.
Lost

The question recurring on the original motion it was.
Adopted:

The Committee of Conference on
H. B. No. 4, entitled "A Bill for an act
"to repeal Section Sixty-Eight of Chap-
"ter Fifty and Sections Six and Seven
"of Chapter Forty-eight of the Revised
"Statutes of Colorado, relating to the
"issuing of Execution against the
"body of a defendant in Civil actions
"and to enact other provisions in lieu
"thereof"

reported as follows.

To the

President of the Senate

Your Committee of Conference appointed to meet with a like Committee from the House to consider the differences between the two Houses with respect to House Bill No. 4, would respectfully report that after a full and free conference, the said Committee have agreed to certain amendments to said House Bill No. 4, which are stated and set forth, in the accompanying paper and the Committee recommend the passage of the Bill as amended.

And inasmuch as differences have arisen relative to the proper mode of proceeding upon the Committee's report, the Committees of Conference recommend that action be first taken upon the Committees report in the House of Representatives, where the Bill originated, and to which, the request for a conference committee was sent. that if such action on the committees report and amendments shall result in adopting the same, then the House shall send a message to the Senate announceing the adoption of the amendments accompanying the same with the Bill. That action then be taken in the Senate upon the Committee's report and proposed amendments.

That if the same be then adopted, that the Bill be then put upon its passage as amended, in the Senate. and be then returned to the House with a Message announcing the action of the Senate and if the Senate shall have passed the Bill the same be put upon its final passage in the House and be enrolled &c. as in other cases.

Respectfully Submitted
S. B. A. Haynes
A. H. De France
Conference Committee on the part of the Senate

Message from the House.

State of Colorado.
Chamber of the House of Representatives
Denver, Dec. 15th 1876.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform

your Honorable Body that the House has adopted H. C. R No. 12, in relation to auditor's drawing Warrants on Treasurer on Certificates drawn by the proper officers of the General Assembly in favor of Members and Employees. And the concurrence of the Senate is respectfully requested

Respectfully

W. B. Fellows

Chief Clerk of the House

Mr Hamill moved,
To lay report of Committee of Conference on H. B. No. 4, on the Table
Carried.

Introduction of Bills

By Mr Hamill
S. B. No. 51. entitled "A Bill for an Act "to provide for the appointment of Electors "for President & Vice President of the "United States"

By Mr Saunders.
S. B. No. 52, entitled "A Bill for an "Act to establish a Board of Immigration"

By Mr Hill
S. B. No. 53, entitled "A Bill for an Act
"to authorize the District Courts to allow
"Fees to Counsel assigned to Prisoners
"in certain cases."

By Mr Johnson,
S. B. No. 54, entitled "A Bill for an act
"to provide for the public printing and
"publishing and distribution of the
"Laws."

By Mr Maxwell.
S. B. No. 55, entitled "A Bill for an act
"to compel owners of Coal mines to
"fence their slack piles and abandoned
"pits"

By Mr Hamill.
S. B. No. 56, entitled "A Bill for an act
"concerning Trust deeds & Mortgages"

By Mr Bennett
S. B. No. 57, entitled "A Bill for an act
"to define the meaning of certain acts,
"words & phrases, in the Laws of the
"State"

By Mr Randall,

S.B. No. 58. entitled "A Bill for an "Act to repeal the existing laws relating to the Deaf Mute Institute of the "State of Colorado, and enact other provisions in lieu thereof, and to establish an Institute for the Education "of the Blind.

Mr Butler asked unanimous consent to refer S.B. No 58 to Committee on Printing

Consent refused.

Mr Bennett called up.
Report of Centennial Commissioners and Message of the Governor in relation thereto.

Message from the House.

State of Colorado
Chamber of the House of Representatives.
Denver. Dec. 16th 1876.

To the Honorable
The Senate of the State of Colorado—

I am instructed to inform your Honorable Body that the House has passed H. B. No 33, A Bill for an act for the Relief of Robt. L. Force of Arapahoe County

House Bill No. 33, and the official evidence of the justness of the claim are herewith transmitted

Respectfully
W. B. Felker
Chief Clerk of the House

Mr Hamill moved.
To refer Report of Credential Commissions to Committee on Mines and Mining
Carried

H. C. R. No. 12 "In Relation to Auditor's drawing Warrants"
Read.

Mr Bennett moved.
To concur in H. C. R. No 12.

Mr Butler moved.
To amend by referring to Committee on Judiciary

Mr Rockwell moved.

To amend by referring to Committee on Finance, Ways & Means ——
Carried. ——

The question recurring on original motion to refer, as amended, it was —
Adopted. ——

Mr Hall, by unanimous consent, introduced ——
S. B. No. 59, entitled "A Bill for an "Act concerning change of County "Lines, Organization of new Counties, "& Locating their County Seats, Adjustment of matters of Liabilities & "revenue between Counties, Transfer "of Records, of Property and causes in the "Courts, changing County Seats and "the repeal of all laws inconsistent "herewith." ——

Mr Rockwell asked unanimous consent to take up ——
S. B. No. 8. ——
Granted ——
S. B. No. 8. Read 3d time & ——
Passed by following vote. ——
Ayes — Messrs. Bates, Butler, Chacon

Clelland, De France, Ellsworth, Gardner, Gaussoin, Hall, Hamill, Hamilton, Haynes, Hill, Johnson, Maxwell, Moynahan, Randall, Rockwell, Saunders & Webster (President). —— 20.—

Noes.—Messrs. Bennet, Henson and Meldrum, —— 3,—

Absent & Not Voting ——

Messrs. Barela, Meyer and Taylor —— 3.—

Title amended & Agreed to. ——

Mr Saunders moved. ——

To adjourn until 10 am. on Monday next ——

Carried. ——

So at 11^{55} am. the Senate adjourned—

Journal of the Senate.

December 18th. 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Monday, December 18th 1876.

Senate met pursuant to adjournment

President in the Chair

Roll Call

Absent - Messrs Meyer (excused) DeFrance, Hamilton, Haynes & Taylor

Quorum present

Prayer by the Chaplain

Journal of Saturday, December 16th read & approved.

Mr Haynes appeared & took his seat

Mr Bennett moved

To grant Mr Taylor leave of absence for to-days session

Carried

Mr Hamilton appeared and took his seat.

Reports of Standing Committees

Committee on Printing reported as follows.

To the

President of the Senate

Your Committee to whom was referred Senate Bills No. 25, 34 and 46, beg leave to report the same back to the Senate correctly printed except in No. 46, Sec. 11, Line 7, the word "the" is omitted between the words "upon" and "order".

Albert Johnson

Chairman.

Committee on Finance, Ways and Means reported as follows.

To the

President of the Senate

Your Committee to whom was referred H. C. R. No. 12, have had the same under consideration and beg leave to report the same back to the Senate with a Bill as a Substitute therefor

Resolution and Substitute herewith transmitted

Alfred Butters
Chairman

Mr Bennet introduced the following Memorials and Joint Resolutions

---

1st "Asking Congress to establish and "maintain a Mint for Coinage at Denver Colorado"

2nd "Praying Congress to establish and "maintain a Military Post in the North-"western part of this State"

3d "Praying Congress to establish and "maintain a Military Post in the South-"western part of this State"

By unanimous consent Memorials and Joint Resolutions were referred to Committee on Federal Relations.

Mr Hamill introduced the following Resolution.

Resolved.

" That the Chairman of the Senate

"Standing Committee on Mines & Mining
"is hereby authorized to send for persons
"and papers, in order that the several
"items charged in the report of the
"Centennial Commissioners may be more
"thoroughly examined" ——

Mr Bruent asked that the Committee
on Federal Relations be discharged
from further consideration of Resolution
relating to Ute Reservations ——

Mr Randall moved. ——
To grant request ——
Carried. ——

Introduction of Bills ——

By Mr Bates ——
S. B. No. 60 entitled "A Bill for an Act
"for the establishment and location of
"a Hospital for the Insane of the State
"and to provide rules for the regulation
"and government of the same" ——

By Mr Hall ——
S. B. No. 61. entitled "A Bill for an
"Act concerning Counties, County Officers

"and County government and repealing all laws on these subjects" —

By Mr Ellsworth. —

S. B. No. 62, entitled "A Bill for an "Act to provide a Seal for the Supreme "Court of Colorado" —

By Mr Hewson —

S. B. No. 63, entitled "A Bill for an "Act for the establishing, opening, laying out, and maintaining and keeping "in repair the public Highways of the State "of Colorado, and defining the duties of "Boards of County Commissioners & Road "Overseers to be performed by them in "connection with such roads and bridges "on the Public Highway, and the manner "of levying and means of collecting said "road tax in the different road districts "of the State of Colorado." —

By Mr Garrison —

S. B. No. 64, entitled "A Bill for an Act "to establish a Cashier of the State "and to amend Art. 3, of Chap. 9. of the "Revised Statutes of Colorado, defining the "duties and powers of the State Treasurer"

By Mr Clelland.
S. B. No. 65, entitled "A Bill, for an "Act concerning unfinished County "Buildings" ——

By Committee on Finance, Ways & Means.—
S. B. No. 66, entitled "A Bill for an "Act regulating the manner in which "members of the General Assembly shall "draw their pay" ——

By Mr Hamill, ——
S. B. No. 67, entitled "A Bill for an "Act to facilitate the recovery of Ore "unlawfully taken by theft or trespass "to regulate the sale and disposition "of Ore, and for the better protection "of Mine Owners" ——

By Mr Randall ——
S. B. No. 68, entitled "A Bill for an "Act providing for the payment of costs "by the State in certain Criminal Cases."

By Mr Hamill ——
S. B. No. 69, entitled "A Bill for an "Act to promote the Mining, Milling "and Reducing of Ore, in the State of

"Colorado, and for the condemnation "of Surface Ground necessary thereto."

By Mr Moynahan.

S. B. No. 70. entitled "A Bill for an "Act to repeal an act entitled an act "concerning costs in certain cases, approved February 11th 1876"

By Mr Moynahan

S. B. No. 71. entitled "A Bill for an act "to promote better discipline and encourage "reformation in the Penitentiary"

By Mr Bennet

S. B. No. 72. entitled "A Bill for an act "repealing all acts inconsistent with "the acts enacted at this session of "the General Assembly"

By Mr Gardner

S. B. No. 73. entitled "A Bill for an "Act to prevent the firing of Woods and "Prairies"

Mr Hamill, by unanimous consent moved.

To refer S. B. No. 67. to Committee on

Printing with orders to print.
Carried.

H. B. No. 33 entitled "A Bill for an Act "for the Relief of Robt. G. Force of "Arapahoe County"
Read 1st time.

Report of Committee on State Institutions "& Public Buildings" in relation "to lease of Building for use of General "Assembly"
Read.

Mr Hamill moved.
To adopt Report

Mr Bruce moved.
To refer Report back to Committee on State Institutions & Public Buildings
Carried.

Joint Committee on Enrollment reported as follows.
Mr President
Your Joint Committee on Enrollment beg leave to report that they have examined S. B. Nos. 15 & 17.

with the Engrossed Copies and find that the same are correctly Enrolled and further report the same signed by the Speaker of the House of Representatives

Very Respectfully
W. B. Hamilton
Chairman Senate Joint Committee on
Enrollment.

The Titles were read &
The President announced the signing of—

S. B. No. 15, entitled "An Act to provide
"for, and regulate the holding of the Dis-
"trict Courts in the several Judicial
"Districts in this State and the manner
"of commencing and adjourning the same
"and return of process, and providing for
"transfer of causes therein, and to repeal
"all other Acts in relation thereto"

and

S. B. No. 17. entitled "An Act to provide
"a Bailiff for the Supreme Court, & to
"regulate the compensation of such Offi-
"cer"

Mr De France appeared & took his seat.

The following Communication was read. and on motion of Mr Hamill

Ordered spread upon the Journal.

Washington D.C.
Dec. 13th 1876.

Hon W. W. Webster
President of the Senate of Colorado.

Dear Sir

Will you be kind enough to thank the Honorable Body over which you preside for the honor conferred on me in again electing me as one of the Senators ~~for~~ Colorado.

I shall endeavor to merit the approbation of the whole people of Colorado, by diligence in their service and fidelity to their interests.

Respectfully Yours
H. M. Teller.

Mr McClelland asked unanimous consent to put S. B. No. 66 on first reading and to refer to Committee on Printing

Consent granted.

S. B. No. 66. read 1st time. and
Referred to Committee on Printing with

orders to-[illegible].

Mr Clelland moved,
To grant Mr De France leave of absence for to-days session
Carried.

Mr Hamill moved
That in computing the number of days of attendance of Members of the Senate, that each Sunday of each week during the session of the Senate be not counted as a day of service

---

Ayes & Noes called with following result.

Ayes.—Messrs. Hamill & Henson — 2—

Noes.—Messrs. Barela, Bates, Bennet, Britton, Clason, Clelland, Ellsworth, Gardner, Garrison, Hall, Hamilton, Haynes, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, & Saunders, — 20—

Excused;—Mr Webster (President) — 1—

Absent—Messrs. De France, Meyer & Taylor—3—

So the motion was.
Lost

Mr Haynes moved.
That in computing the per diem of members of the Senate in drawing their pay, no member absent, without being excused by the Senate, shall draw pay, during such absence, and that no member, shall draw pay when excused by the Senate for more than two consecutive days, of absence (Sundays excepted)

Mr Morgridge moved.
To amend as follows.
"Provided;"
" That members excused for the "purpose of attending to business pertaining to the General Assembly be "excepted from this resolution"

Mr Bennet moved.
To lay the motion & amendment upon the table
Carried.

Mr Bennet moved.

To reconsider the vote whereby the motion & amendment were laid upon the table &c ——

To lay the motion to reconsider on the table ——

Carried ——

Mr Rockwell moved. ——

To adjourn until 10 am. to-morrow. ——

Carried. ——

So at 11 50 am. the Senate adjourned. ——

Journal of the Senate

December 19th 1876.

Approved.

General Assembly of Colorado

Senate

First Session

Tuesday, December 19th 1876.

Senate met pursuant to adjournment.

President in the Chair.

Roll Call

Absent Messrs Meyer (excused) and De France

Quorum present.

Prayer by the Chaplain

Journal of yesterday read and approved.

Mr De France appeared & took his seat.

Reports of Standing Committees

Committee on Printing reported as follows.

To the

President of the Senate

Your Committee to whom was referred Senate Bills No. 24. 43. 44 & 66 beg leave to report the same back to the Senate correctly printed except in 24. Sec. 6. Line 4. the letter "a" should be "and".

And in 44 Article 5, Sec. 3. Line 19. the word "its" should be "his".

Albert Johnson

Chairman

Committee on Enrollment (Joint) reported as follows.

The President

Your Joint Committee on Enrollment presented Senate Bills No. 15 & 17 to His Excellency the Governor for his approval at 11.50 O'clock A.M. December 18th a.d. 1876.

Very Respectfully

W. B. Hamilton

Chairman Senate Joint Committee on Enrollment

Committee on Indian Affairs reported as follows.

To the

President of the Senate

The Committee on Indian affairs have considered Senate Bill No. 31, and recommend its passage with due attention to the case of emergency expressed in the last section

Respectfully Submitted
Eugene Gaussoin
Chairman

Mr Bennet moved
To grant Mr Chacon leave of absence until January 3d 1877
Carried.

Mr Saunders introduced
S. J. R. No. 6. "Praying Congress to graduate the price of Public Lands in the "State of Colorado, not susceptible of "Irrigation".

Mr Saunders, (unanimous consent being given) moved.
To refer S. J. R. No. 6 to Committee on Public Lands
Carried.

Mr Haynes introduced

S. J. R. No. 7. "Asking Congress to establish and maintain a Military Post "at Pittsburgh or some other feasible "point for the protection of the North-"Eastern portion of the State against "raiding parties of Hostile Indians"—

Mr Haynes, unanimous consent being given / moved.

To refer S. J. R. No. 7 to Committee on Federal Relations

Carried.

Mr Bennett introduced

S. M. and J. R. No. 8." Praying for a Donation of Arid Lands within the State "for purposes of Irrigation and Reclamation"—

Introduction of Bills

By Mr Hall

S. B. No. 74. entitled "A Bill for an "Act defining the Boundary Lines and "designating the County seats of the "several Counties in the State and repealing all existing statutory Laws on "the same subjects"

also.

S. B. No. 75. entitled "A Bill for an "Act to establish the County of Gunnison"

By Mr. Saunders

S. B. No. 76. entitled "A Bill for an "Act concerning imprisonment for debt".

also.

S. B. No. 77. entitled "A Bill for an act "concerning Interest".

also.

S. B. No 78. entitled "A Bill for an act "concerning a School of Mines."

By Mr Johnson

S. B. No. 79. entitled "A Bill for an "Act to provide for Publication and Distribution of Official Reports"

By Mr Gardner

S. B. No. 80, entitled "A Bill for an "Act concerning Fences & Enclosures in "the State of Colorado"

By Mr Garrison

S. B. No. 81, entitled "A Bill for an "Act to authorize the Governor of the "State to make on the General Govern-"ment a requisition for arms, & to give "Bond for the same"

By Mr Clelland

S. B. No. 82, entitled "A Bill for an "Act relating to Homesteads in Colorado."

By Mr Meldrum

S. B. No. 83, entitled "A Bill for an "Act to amend Section Two of an act "entitled 'an act for the establishment "and location of an Agricultural College'"

By Mr Bates

S. B. No. 84 entitled "A Bill for an "Act creating and establishing the "Historical Society of the State of Col-"orado"

By Mr Bennet

S. B. No. 85, entitled "A Bill for an "Act in relation to the Auditor of State"

By Mr Haynes.

S. B. No. 86, entitled "A Bill for an "Act to fix and regulate the Fees of "County, Precinct and other Officers"

also.

S. B. No. 87, entitled "A Bill for an act "in relation to Injunctions"

also.

S. B. No. 88, entitled "A Bill for an act "relating to the State Treasurer"

also.

S. B. No. 89, entitled "A Bill for an act "relating to Forcible Entry and Detainer"

also.

S. B. No. 90, entitled "A Bill for an act "concerning Churches"

also.

S. B. No. 91, entitled "A Bill for an act "concerning Statutes"

also.

S B. No. 92, entitled "A Bill for an act "in relation to the Descent and Distribution of deceased persons Estates"

also.

S. B. No. 93. entitled "A Bill for an "Act concerning Habeas Corpus"

also.

S. B. No. 94. entitled "A Bill for an "Act concerning Fugitives from Justice"

also.

S. B. No. 95, entitled "A Bill for an "Act relating to Chancery"

also.

S. B. No. 96, entitled "A Bill for an "Act relating to the Settlement of deceased persons Estates"

also

S. B. No. 97. entitled "A Bill for an "Act concerning the receiving of money "from the United States of America"

By Mr. Meldrum.

S. B. No. 98, entitled "A Bill for an "Act relating to Conveyances".

also

S. B. No. 99. entitled "A Bill for an "Act concerning Jails"

also.

S. B. No. 100. entitled "A Bill for an "Act relating to Mortgages"

also

S. B. No. 101. entitled "A Bill for an

"Act in relation to the General As-"sembly"

By Mr Bennet.
S. B. No. 102, entitled "A Bill for an "Act concerning Courts of Justices of "the Peace"

also

S. B. No. 103 entitled "A Bill for an "Act concerning Ejectments."

also

S. B. No. 104, entitled "A Bill for an "Act concerning Official Seals."

By Mr Gaussoin
S. B. No 105, entitled "A Bill for an "Act to abolish the Grand Jury Sys-"tem and to provide for the organization "of Courts of Indictment in lieu there-"of."

By Mr Randall.
S. B. No. 106, entitled "A Bill for an "Act to provide for the Discontinuance "or change of time for holding District "Courts in the several Counties of the "State of Colorado."

By Mr Haynes

S. B. No. 107, entitled "A Bill for an "Act relating to Licenses."

also

S. B. No. 108 entitled "A Bill for an "Act to provide for the payment of the "members of the General Assembly, for "the year 1879, and for ever thereafter"

also.

S. B. No. 109, entitled "A Bill for an "Act concerning Common Law"

also

S. B. No. 110, entitled "A Bill for an "Act relating to Surveys"

also.

S. B. No. 111, entitled "A Bill for an "Act relating to Salaries"

also.

S. B. No. 112, entitled "A Bill for an Act "in relation to District Attorneys"

also.

S. B. No. 113, entitled "A Bill for an Act "relating to Fords"

also

S. B. No. 114, entitled "A Bill for an Act "concerning the Publication of Laws"

also.

S. B. No. 115, entitled "A Bill, for an Act "relating to Powder Houses."

also.

S. B. No. 116, entitled "A Bill for an "Act concerning Jurors."

By Mr Bennet.

S. B. No. 117, entitled "A Bill for an "Act prescribing the duties and powers "of the State Board of Land Commissioners".

By Mr Ellsworth

S. B. No. 118, entitled "A Bill for an act "to preserve the Public Health"

also

S. B. No. 119, entitled "A Bill for an act "to provide for the payment of the balance "due A. R. Dyer and C. Dominguez for translating the Constitution of Colorado into "the Spanish Language".

By Mr Heisner

S. B. No. 120, entitled "A Bill for an act "touching Attorneys at Law"

Mr Hall, (unanimous consent being given) moved.

To refer S. B. No. 74 and S. B. No. 75 to Com-

mittee on Counties and County Lines —
Division called for resulting as follows-
Ayes: — 21.
Noes. — 1.
So the motion was
Carried.

Mr Brunet (unanimous consent being given) moved,
To refer S. B. No 102, S. B. No. 103 and S. B. No. 104 to Committee on Judiciary
Carried.

H. B. No. 33. entitled "A Bill for an "Act for the Relief of Robt. G. Force of "Arapahoe County."
Read 2nd time

Mr Maxwell moved
To refer to Committee on Finance, Ways and Means"
Carried.

Mr Maxwell moved.
To take up S. B. No. 66 for 2nd reading —
Carried.

S. B. No. 66. entitled "A Bill for an Act

"regulating the manner in which mem-
"bers of the General Assembly shall
"draw their pay"
Read 2nd time

Mr Maxwell moved,
To refer to Committee of the Whole.
Division called for with following result

Ayes - 13.
Noes - 1
So the motion was
Carried.

Message from the Governor

State of Colorado
Executive Department
Denver Dec. 18th 1876

Hon W. W. Webster
President of the Senate
Sir

I have the honor to inform you, that I have this day signed Senate Bill No. 15 entitled "An act to provide for and regulate the holding of the "District Courts in the several Judicial "Districts in the State etc." and Bill No. 17

entitled "An Act to provide a Bailiff
"for the Supreme Court and to regulate
"the compensation of such officer" and
have filed the same with the Secretary
of State ——

Very Respectfully ——
John L. Routt ——
Governor ——

Mr Butters moved ——
That further consideration of
H. C. R. No. 12 "In relation to Auditors
"drawing Warrants on Treasurer" ——
be indefinitely postponed ——
Carried. ——

Mr Hamill called up ——
"Resolution authorizing Chairman Committee
"on Mines and Mining to send for persons and
"papers in relation to Report of Centennial
"Commissioners". ——

Mr Mcgrahan moved. ——
To adopt the Resolution ——
Carried. ——

Mr Taylor (unanimous consent being
given) introduced ——

S. B. No. 121, entitled "A Bill for an "Act regulating the practice in cases of "Preliminary Examinations before Justices "of the Peace while acting as conser- "vators of the Peace"

Mr Butters moved,
That the Senate resolve itself into Committee of the Whole on S. B. No. 66.
Carried

So the Senate went into Committee of the Whole with
Mr. Randall in the Chair

The Committee of the Whole rose,
The Senate resumed its session and
The following Report was read.

Mr President

Your Committee of the Whole House have had under consideration S. B. No. 66. Have amended the same and report the same back to the Senate with the recommendation that the amendments be adopted

E. S. Randall
Chairman

Mr Butters moved.
To adopt amendments proposed by the Committee of the Whole
Carried.

Mr Butters moved
To refer S. B. No. 66, as amended, to Committee on Engrossment with orders to Engross.
Carried.

Mr Hamill moved.
That S. B. No. 66, as amended, be Printed
Ayes & Noes called with following result

Ayes - Messrs. Gaussoin, Hamill, Johnson, Moynahan & Saunders — 5

Noes. - Messrs. Barela, Bates, Bennett, Butters, Chacon, Clelland, Ellsworth, Gaudreau, Hall, Hamilton, Haynes, Henson, Hill, Maxwell, Meldrum, Randall & Webster (President) — 17

Excused Mr De France — 1

Absent & Not Voting
Messrs. Meyer, Rothwell & Taylor — 3

So the motion was
Lost

Mr Hamill moved.
That amendments to S.B. No 66. be printed
Ayes and Noes called with following result.
Ayes.- Messrs. Cleland, De France, Ellsworth
Hamill, Hill, Johnson, McElhinney
Moynahan, and Saunders ——— 9

Noes.- Messrs. Barela, Baker, Bennett,
Butler, Chacon, Gardner, Gonzales,
Hall, Hamilton, Haynes, Hinson,
Maxwell, Randall, Rothwell and
Webster (President) ——— 15

Absent and Not Voting
Messrs Meyer and Taylor ——— 2

So the motion was
Lost.

Mr Hamill moved.
To adjourn until 3 P.M. to-morrow.
Carried.

So at Twelve O'clock and Fifteen minutes
the Senate adjourned

Journal of the Senate

December 20th 1876

Approved.

General Assembly of Colorado

Senate
First Session
Wednesday, December 20th 1876

Senate met pursuant to adjournment.

President in the Chair.

Roll Call.

Absent - Messrs. Meyer, & Chacon (excused) Hamilton & Taylor -

Quorum present

Prayer by the Chaplain.

Mr Maxwell moved.
To dispense with the Reading of the Journal of yesterday
Carried.

Mr Maxwell introduced
S. M. & J. R. No. 9. "Asking Congress for "Grant of Public Lands & Right of Way

"To the Golden, Georgetown & Central "Railroad Company" —

Reports of Standing Committees

Committee on Indian Affairs reported as follows. —

To the

President of the Senate —

The Committee on Indian affairs to whom was referred the resolution of November 27th introduced by the Hon member of the 8th District Mr Bennett, beg leave to report that they have agreed to have that part of the said Resolution for the establishment of Military Posts in the North-western & South-western parts of the State, consolidated with resolutions on the same subject, introduced in the House of Representatives & recommended to be passed, — The Committee recommend that the last part of the said resolution having for object the removal of the Ute and other Indian Tribes, outside of the Boundaries of the State of Colorado, be adopted and with that object in view your committee respectfully submit to your consideration a Memorial addressed to the Congress of the United States.

Eugene Gaussoin

Chairman.

Committee on Engrossment reported as follows.

To the

President of the Senate

Your Committee to whom was referred S. B. No. 66. beg leave to report the same back to the Senate correctly engrossed

J. P. Maxwell

Chairman

Mr Gaussoin introduced

S. M. and J. R. No. 10. "Praying for the Removal of the Ute, Pale Ute and other Indian Tribes outside of the boundaries of the State of Colorado."

Mr. Randall introduced

S. C. R. No. 6. "In Relation to Holiday adjournment"

Mr Rockwell introduced the following resolution ——

"Resolved.

"—— That a Committee of Three
"be appointed by the President to examine
"amine all bills introduced & refer
"the same to the appropriate Standing
"Committees, which Committees shall
"consider such bills and report amendments
"ments thereto or substitutes therefor
"as in their judgment seems proper
"for further consideration of the Senate"

Mr Saunders introduced ——
S.C.R. No. 5, "appointing a Committee
"to prepare Blank Forms" ——

Mr Saunders asked unanimous consent
to refer S.C.R. No. 5. to Committee on
Judiciary ——
Consent granted & S.C.R. No. 5 so referred.

Introduction of Bills

By Mr Ellsworth ——
S.B. No. 122, entitled "A Bill for
"an act to provide for Funding the
"State Debt & issuing bonds in lieu

"thereof"

also.

S. B. No. 123, entitled "A Bill for an Act
"to provide for the election of a Police
"Magistrate in certain Cities, defining
"his duties and jurisdiction & providing
"for his compensation"

By Mr Rockwell.

S. B. No. 124, entitled "A Bill for an Act
"concerning the drainage of Mines, and
"the method of enforcing the Cost and
"expense thereof"

also.

S. B. No. 125, entitled "A Bill for an
"Act to regulate the conditions of appeal
"bonds & Supercedias bonds, when the
"Judgment or decree complained of, is
"for the recovery of land, or the posses-
"sion thereof"

also.

S. B. No. 126. entitled "A Bill for an
"Act defining the duties of the At-
"torney General"

By Mr Clelland.

S. B. No. 127, entitled "A Bill for an
"Act to repeal Sec. 223 of Chap. 22

"of the Revised Statutes and to enact
"other provisions in lieu thereof"

also

S. B. No 128, entitled "A Bill for an
"Act authorizing Railroad Corporations
"to issue Bonds, and to mortgage their
"Road-Beds, Fixtures, Property and
"Franchises to secure the payment of
"such Bonds"

By Mr Ellsworth

S. B. No. 129, entitled "A Bill for an
"Act concerning the State Board of
"Health"

By Mr Rockwell

S. B. No. 130, entitled "A Bill for an
"Act defining the ownership of water
"purchased for mining purposes."

also

S. B. No. 131, entitled "A Bill for an
"Act creating and establishing the right
"of dower in decedents' estates"

also

S. B. No. 132, entitled "A Bill for an
"Act entitled 'An act to declare the
"Law and to regulate the Practice in the
"Courts Scire Facias"

By Mr Henson

S. B. No. 133, entitled "A Bill for an "Act to regulate charges for transportation of Passengers & Freight by "Railroad Companies"

also.

S. B. No. 134, entitled "A Bill for an "Act concerning Costs in certain cases"

By Mr Barela.

S. B. No. 135, entitled "A Bill for an "Act for the Relief of Las Animas County"

By Mr Randall.

S. B. No. 136, entitled "A Bill for an Act "providing for Estates in dower"

also.

S. B. No. 137, entitled "A Bill for an "Act to prevent the discharge of Fire "Arms across Public Highways"

also.

S. B. No. 138, entitled "A Bill for an "Act in relation to Pleadings in Courts "of Record"

also.

S. B. No. 139, entitled "A Bill for an "Act to repeal all existing Laws concerning Jurors in the district Courts

"and to enact other provisions in lieu
"thereof" ___

By Mr Barela ___
S. B. No. 140 entitled "A Bill for an Act
"entitled an act to amend Chapter 61
"of the Revised Statutes of Colorado" ___

By Mr Rockwell ___
S. B. No. 141, entitled "A Bill for an
"Act relating to the issuing of Executions
"in case of Trespass upon Lode mining or
"Placer Claims" ___

By Mr McEllenn ___
S. B. No. 142, entitled "A Bill for an
"Act concerning dissipated persons" ___

By Mr Ellsworth ___
S. B. No. 143, entitled "A Bill for an
"Act to Repeal Section 7, of Chapter
"35 of the Revised Statutes of Colorado" ___

By Mr Hamill ___
S. B. No. 144, entitled "A Bill for an
"Act to provide for the Election of a
"Representative to Congress in case of
"a Vacancy" ___

also,

S. B. No 145. entitled "A Bill for an "Act to provide means of Escaping from "Mines & Underground Workings in the "State of Colorado"

also.

S. B. No. 146. entitled "A Bill for an Act "to provide for the Drainage of Mines, and "to regulate the Liabilities of Miners, Mine "Owners, & Mill men, in certain cases, & "to repeal all Territorial Acts on the "subject."

also.

S. B. No. 147. entitled "A Bill for an Act "to provide for the proper Representation "of the Products & Manufactures of the State "of Colorado, at the Paris Exposition in the "year A.D. 1878"

also.

S. B. No. 148. entitled "A Bill for an Act "to provide for the numbering of the Statutes "and for the recital of the same in Judicial Proceedings."

also.

S. B. No. 149. entitled "A Bill for an Act "to temporarily vacate the School of Mines "at Golden City. — To provide for the transfer "of the personal property, Laboratory, Chemi-

"cals, Instruments and other appurte-
"nances now belonging to said School
"of Mines to the University of Colorado,
"and to refund the unexpended balance of
"the appropriation made by 'An act to pro-
"vide for the several expenses of the Ter-
"ritorial School of Mines for the years 1876
"and 1877. Approved February 11th 1876' and to
"abolish the office of Territorial Assayer"—

also

S. B. No. 150 entitled "A Bill for an act
"relating to Mines, to secure and protect
"all prior rights to mineral bearing lodes
"Ledges and Deposits and to repeal the sev-
"eral acts and parts of acts in conflict
"herewith"

also

S. B. No. 151, entitled "A Bill for an act
"to provide for the Partition of Real
"Estates"

By Mr Johnson.

S. B. No. 152, entitled "A Bill for an act
"to authorize the Secretary of State to
"employ extra clerical assistance upon
"the adjournment of the General Assembly"

By Mr Moynahan.

S. B. No. 153, entitled "A Bill for an
"Act to Provide for the Maintainance, Gov-
"ernment and Police of the Penitentiary.
"Also the mode of appointing Officers and
"fixing the Salary of the same"

By Mr Butters

S. B. No. 154, entitled "A Bill for an
"Act to repeal the acts concerning Jails
"and to enact other Laws in place thereof"

By Mr De France

S. B. No. 155, entitled, "A Bill for an act
"to appropriate money out of the State
"Treasury, to carry on the School of Mines
"at Golden"

By Mr Meldrum

S. B. No. 156 entitled "A Bill for an Act
"repealing certain acts or parts of acts
"therein mentioned"

also

S. B. No. 157 entitled "A Bill for an
"Act relating to Constables"

also

S. B. No. 158 entitled "A Bill for an
"Act relating to Instruments in Writing,
"for the payment of money or other

"personal property" ———

——— _also_ ———

S. B. No. 159, entitled "A Bill for an
"Act relating to Printing & Publishing
"Laws" ———

By Mr Haynes, ———

S. B. No. 160, entitled "A Bill for an
"Act relating to Public Lands" ———

——— _also_ ———

S. B. No. 161, entitled "A Bill for an
"Act relating to County Courts" ———

——— _also_ ———

S. B. No. 162, entitled "A Bill for an
"Act concerning the Destruction of Wild
"Animals" ———

——— _also_ ———

S. B. No. 163, entitled "A Bill for an
"Act concerning Stock" ———

——— _also_ ———

S. B. No. 164, entitled "A Bill for an
"Act concerning Toll-Roads & Bridges" —

——— _also_ ———

S. B. No. 165 entitled "A Bill for an
"Act concerning the University" ———

——— _also_ ———

S. B. No. 166, entitled "A Bill for an
"Act concerning an Assay Office" ———

also.

S. B. No. 167. entitled "A Bill for an "Act concerning Printing the Laws of "Colorado"

also.

S. B. No. 168. entitled "A Bill for an "Act concerning Estrays"

also

S. B. No. 169. entitled "A Bill for an "Act to pay Joseph T. Boyd, contestant "for Seat from the 7th Senatorial District for the time engaged in such "contest"

also.

S. B. No. 170. entitled "A Bill for an "Act to appropriate the sum of Eighteen "Dollars, out of any money in the State "Treasury, not otherwise appropriated to "pay Allison H. De France for money advanced by him to procure the attendance of certain persons before the "Committee on Elections of the Senate "of Colorado, to testify as witnesses in "the matter of the Contested Election "case pending in said Senate between "Joseph T. Boyd and Allison H. De France"

also.

S. B. No. 171. entitled "A Bill for an

"Act to appropriate money out of the
"State Treasury to pay witnesses sum-
"moned before the Committee on Elections
"of the Senate of Colorado to testify in
"the matter of the Contested Election Case
"between Joseph T. Boyd and Allison H.
"De France" ——

By Mr Brunk ——
S. B. No. 172. entitled "A Bill for an
"Act relating to Irrigation" ——

also.

S. B. No. 173. entitled "A Bill for an
"Act concerning Mandamus" ——

also.

S. B. No. 174. entitled "A Bill for an
"Act concerning Marriages" ——

also

S. B. No. 175. entitled "A Bill for an
"Act relating to Criminal Jurisprudence" ——

Mr Ellsworth, (unanimous consent being
given) moved. ——
To refer S. B. No. 122. to Committee on Finance,
Ways & Means. ——
Carried. ——

S. B. No. 66. entitled "A Bill for an act

"regulating the manner, in which mem-
"bers, Officers and Employees of the General
"Assembly shall draw their pay" ——
Read 3rd time, and ——
Passed by following vote. ——

Ayes.— Messrs. Barela, Bates, Bennet
Butters, Clelland, De France, Ells-
worth, Gardner, Gaussoin, Hall,
Haynes, Henson, Hill, Johnson,
Maxwell, Meldrum, Randall,
Rockwell, Saunders, and Webster
President —— 20.—

Noes.— Messrs Hamill and Moynahan — 2.—

Absent and Not Voting ——
Messrs. Chacon, Hamilton, Meyer
and Taylor —— 4.—

Title agreed to. ——

Mr Butters moved. ——
To grant Mr Hamilton leave of ab-
sence for to-days session ——
Carried. ——

Mr Barela moved. ——

To grant Mr Taylor leave of absence until Monday next.

Carried.

Messages from the House.

State of Colorado
Chamber of the House of Representatives
Denver Dec. 19th 1876.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House has adopted the amendments proposed by the 2nd Committee of Conference to H.B. No. 4.

The bill, Reports of Conference Committee and amendments are herewith transmitted.

also.

Under date of Dec. 20th 1876.

I am instructed to inform your Honorable Body that the House has adopted H.C.R. No. 13. In relation to adjournment over the Holidays.

H.C.R. No. 13, is herewith transmitted.

Respectfully,

W. B. Fellows
Chief Clerk of the House.

Mr Hamill, (unanimous consent being given) introduced the following resolution

"Resolved

"That it is the sense of the Senate that the provisions of the Constitution whereby bills are to be introduced within the first 50 days, does not apply to Memorials or Joint Resolutions"

Mr Hamill moved.
To adopt Resolution
Ayes and Noes called with following result.

Ayes—Messrs. Barela, Baker, Butler, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hamill, Haynes, Henson, Hill, Johnson, Maxwell, Muldrum, Moynahan, Randall, Rockwell, Saunders and Webster (President) — 20

Noes—Messrs Brunt & Hall — 2

Absent and Not Voting ——

—— Messrs. Coleman, Hamilton, Meyer
and Taylor —— 4.

So the motion was carried. ——

Mr Randall asked unanimous consent to take up H. C. R. No. 13, "In relation to adjournment over the Holidays."—

Consent granted and ——
H. C. R. No. 13. taken up. ——

Mr Randall moved ——
To amend by providing ——
"That no member or Officer or Employee
"who is not required by the Presiding
"Officer of the House to which he belongs
"to remain in attendance, shall receive
"pay during such adjournment". ——

Mr Moynihan moved. ——
To indefinitely postpone consideration of H. C. R. No. 13, and amendment thereto. ——
Ayes and Noes called with following result ——

Ayes—Messrs. Bennett, Butler, Cleveland, De France, Ellsworth, Gardner, Gaussoin, Hall, Haynes,

Hixson, Maxwell, McLellan,
Moynahan, Saunders and Webster
(President) —— 15 —

Noes, – Messrs. Barela, Bates, Hamill,
Hill, Johnson, Randall and
Rockwell —— 7.

Absent and Not Voting ——
Messrs Chacon, Hamilton, Myers
and Taylor —— 4

So further consideration of H.C.R.
No. 13 and Amendment thereto was indefinitely postponed. ——

Mr Butters asked unanimous consent
to introduce a Bill, ——
Mr Hamill objected ——

Mr Butters moved. ——
To suspend the Rules in order that
he might introduce a bill ——
Carried ——

Mr Butters introduced ——
S. B. No. 176. entitled "A Bill for an
"Act to prescribe the terms and conditions

"upon which Insurance Companies
"may do business in the State of
"Colorado, and to create and provide
"means for the support of a Depart-
"ment of Insurance"

Mr Butler asked unanimous consent
to refer S. B. No. 176. to Committee on
Finance, Ways and Means
Mr Harwell objected

Mr Butler moved.
To suspend the Rules &
Refer S. B. No. 176 to Committee on
Finance, Ways & Means
Carried.

Mr. Haynes moved.
To adjourn until 8 P. M.
Carried.

So at 4.40 P. M. the Senate adjourned.

Evening Session

Senate met pursuant to adjournment—

President in the Chair

Quorum present.

Mr Hamilton appeared & took his seat.

Mr Bennet asked unanimous consent to introduce a Bill & to have the same referred to Committee on Immigration. Consent granted

Mr Bennet introduced
S. B. No. 177, entitled "A Bill for an "Act to provide a State Board of Immigration"
Referred to Committee on Immigration.—

Joint Committee on Revision & Codification of the Laws reported as follows.
To the
President of the Senate,
The Joint Committee of the Two Houses, of the General Assembly

appointed December 8th 1876. to consider the question of what laws are desirable and necessary to be enacted by the First General Assembly, beg leave to report.

That the Committee have been in continuous session since their appointment, and have supervised so far as practicable the work of the Standing Committees of both houses, in the matter of the preparation of Bills for introduction and have with the aid of other members of the General Assembly prepared a large number of Bills embracing all subjects of Legislation required to be enacted by the Constitution and all subjects of the present laws.

It is the opinion of the Committee, that a large amount of Legislation for this session, is contemplated by the Constitution, expected by the people & needed to place the Statutes in condition for the convenient use of the people and enable them to ascertain what the laws really are.

The Revised Statutes and one half of the Session Laws are out of print, and many Officers and Lawyers of the State, are now unprovided with them. And the large immigration of the people to the State in the next Two Years cannot obtain them. The Revised Statutes have been much repealed. and many parts repealed, were repealed when it was compiled and the annotations showing such repeal, so made as to mislead the reader as to whether repealed or not. And many parts of the Revised Statutes have been repealed since its compilation and the repealing clauses are scattered through all the subsequent volumes of Session Laws, together with substituted Sections, to take the place of the repealed parts ____

If this Session of the Assembly is to be a patchwork Session like most Sessions of the Territorial Legislature, we shall have another and very large Session Volume, interspersed in great measure with repealing clauses and substituted sections, increasing the wilderness of separated fragments of each subject of Legislation, together with a few laws compactly stated. ____

It was thought by the Committee that the laws might all be considered while doing the particular legislation required by the Constitution and such amendatory work, as experience, and progress should dictate, — That amendments might be inserted in appropriate places of the original laws, and thus the entire body of the laws be made, amended, compiled and printed in one volume. and that this might be done with only such increased cost as the practical advantages of such compilation would fairly justify. — It is quite generally conceded, that such revision and compilation will be imperatively demanded in a very short time and that such revised compilation will necessitate the reprinting of the very large volume now in press for this session and it was thought if this Assembly is adequate to the task of doing it, a large saving in the matter of printing would thus be assured. and the question has arisen whether it cannot be better done by carrying all the laws along with us, in the progress of Legislation than by picking over the old laws, and making disconnected amendments, adjusting the new to the old in detached fragments, and dovetailing the whole with the Constitutional demands. ——

The important considerations are. ——

1st Is the ability of this General Assembly sufficient to do it well. and ——

2nd. Whether the apparent necessities of the situation will justify the expense at this time ——

Thinking it possible that the General Assembly might be impressed somewhat with the above considerations, the Committee have prepared and caused to be introduced (as they think) a sufficient number and variety of bills to enable a general revision and compilation of the laws, to be made the coming year if the Assembly shall feel adequate to the task, and have sufficient courage and spirit of sacrifice to undertake it. ——

The Bills are numerous, and many of them imperfect. ——

The Committee recommends, that they be mostly referred to appropriate Committees of the respective houses before being read or printed and be reported back to the respective houses, with amendments (if any) before any other action upon them be taken ——

The Committee has prepared a schedule of all bills introduced, stating the titles and numbers & recommends that it be printed for the use of members.—
If the General Assembly shall decide to revise, amend & codify all the General Laws in One Volume it would be proper, that all local laws now in force, should remain, and be printed in the Volume, supplementary to the General Laws.

Out of this apparent confusion we see but one road to success and that is not a Royal one.- It involves much hard, steady, careful work, of the Committees of the two Houses.

The Committee recommend, that every bill now before the Houses, except some few as the Revenue, School, Militia, Elections & Corporation Bills, be referred to appropriate Standing Committees without printing, and each bill and a kindred subject be referred to the same Committee. The Committees can then select the best, and amend and add to it, even to taking out all after the enacting clause, leaving the title intact, and amend it by something better keeping within the scope of the subject as expressed in the title — Many of the bills will probably need no alterations. ——

The best bills being perfected in Committee and reported upon, all other bills can be reported upon for postponement, or laid on the table or otherwise & finally disposed of as the Houses may see fit and the good bills only be printed and then passed upon by the Houses in regular order. ——

Then, when any bill shall ~~have~~ passed one House and gone so far in the other House as to be ready for final passage the bill should be referred to a Joint Committee from each House, for them to examine, and see that it is not in conflict with any other bill already passed, & to report it back to the House from which they received it, with such recommendation as to revision & adjustment, as the circumstances seem to require, upon which the House can then amend, or finally pass the Bill. When all the bills are finally passed and become laws by the Governor's approval, they should be printed & bound in a volume, as containing all the

Laws of general application in the State & the Local laws of Territorial Enactment be appended, as is provided in a bill for an act which has been introduced into either House on that subject, together with a list of all acts or parts of acts repealed.

The Committee after long deliberation have agreed upon this plan and further recommend the appointment of a Joint Committee upon Revision & Adjustment with proper instructions and that all bills be referred to such Committee immediately before final passage.

All of which is Respectfully submitted

S. B. A. Haynes
A. H. De France
H. P. Bennet
David Rannon
George Rand
W. H. Pierce
Joint Committee

Mr Gunnison moved.
That the Senate take a recess.
Carried.

So at 8 30 P.M. the Senate took a

recess subject to call of the President—

Senate called to order by the President—

Mr Bennet moved.

To adjourn until 10 am. to-morrow.

Carried.

So at 9 P.M. the Senate adjourned.

Journal of the Senate

December 21st 1876

approved.

General Assembly of Colorado

Senate
First Session
Thursday, December 21st 1876.

Senate met pursuant to adjournment

President in the Chair

Roll Call.

Absent - Messrs. Chacon, Meyer and Taylor (Excused) Barela DeFrance & Rockwell.

Quorum present.

Prayer by the Chaplain

Messrs DeFrance & Rockwell appeared and took their seats.

Journal of yesterday read and approved.

Mr Barela appeared & took his seat

Mr Butters asked unanimous consent to consider the subject of distributing the present work of the Senate.

Consent granted.

Mr Butters moved.
To take up resolution introduced by Mr Rockwell on yesterday," relative "to appointment of a Committee to "examine Bills and refer them to appropriate committees."
Carried.

Mr Butters moved.
To amend by inserting "or otherwise" between "therefor" & "as"
Carried.

Mr Haynes moved.
To amend by striking out "the same" & insert after the word "refer" the following words "such of them as they "may think best at this time subject "to the approval of the Senate"
Lost.

The sense of the Senate being taken

on the adoption of the Resolution.
it was declared
Lost

Mr Bennet moved.
To suspend the Rules, for the purpose of taking up the Report of the Joint Committee on Revision and Codification of the Laws.
Carried.

Mr Bennet moved
To refer Report to Committee of the Whole House.
Division called for; resulting as follows.
__Ayes - 7__
__Noes. - 12.__
So the motion was
Lost.

Mr Butler moved
To adopt the Report

Mr Bennet moved.
To adjourn
Carried.
So at Twelve O'clock and Thirty minutes

the Senate adjourned.

Afternoon Session.

Senate met pursuant to adjournment.

President in the Chair

Quorum present.

The Senate resumed consideration of motion to adopt report of Joint Committee on question of necessary legislation

Mr De France moved
To amend by adding to the end of the Report the following.
"De France, one of the members of
"your Committee, dissents from many
"of the views herein expressed and
"especially from the recommendations
"herein contained"
Carried.

The question recurring on the original motion to adopt the Report.
The Ayes & Noes were called with

following result

Ayes—Messrs Bates, Bennett, Butters, Ellsmith, Gardner, Haynes, Hill, Johnson, Mannel, Meldrum, Moynahan, Randall, Saunders and Webster (President) 14.

Noes.—Messrs. Clelland, de France, Gaussoin, Hall, Hamill, Hamilton, Henson, and Rockwell — 8.

Absent and Not Voting
Messrs Cleacon, Banta, Meyer and Taylor — 4.

So the motion to adopt was carried.

Mr Butters moved.
To take up and Read by title for reference Bills now on file.

S. B. No. 23. read by title.

Mr Ellsmith moved
To refer to Committee on Finance, Ways and Means — Carried.

S. B. No. 24, read by title

Mr Rockwell moved
To refer to Committee on Incorporations
Carried.

S. B. No. 28 read by title
Placed on file for 1st reading.

S B. No. 29. read by title
Mr Hamill moved.
To refer to Committee on Judiciary
Carried.
S. B. No. 30 read by title
Mr Butters moved.
To refer to Committee on Agriculture
Carried.

S. B. No 31. read by title.
Mr Muldoon moved.
To refer to Committee on Federal Relations
Carried

S. B. No. 32. read by title
Mr Brunt moved
To refer to Committee on Agriculture
Carried.

S. B. No. 33. read by title
Mr Bruner moved.
To refer to Committee on Finance Ways and Means
Carried.

S. B. No. 34. read by title
Mr Haynes moved
To refer to Committee on Finance. Ways and Means
Carried.

S. B. No. 35. read by title.
Mr Hill moved
To refer to Committee on Incorporations
Carried.

S. B. No. 36. read by title
Mr Harrill moved.
To refer to Committee on Stock.
Carried.

S B. No. 38 read by title
Mr Ellsworth moved.
To refer to Committee on Printing, with orders to print.
Carried,

S. B. No 39, read by title.
Mr Bennett moved,
To refer to Committee on Judiciary
Carried.

S. B. No. 40, read by title.
Mr Hamill moved
To refer to Committee on Judiciary
Carried,

S. B. No. 42, read by title
Mr McClelland moved,
To refer to Committee on Judiciary
Carried.

S. B. No. 43, read by title.
Placed on file for 1st Reading

S. B. No. 44, read by title
Placed on file for 1st Reading.

S. B. No. 46, read by title
Placed on file for 1st Reading.

S. B. No. 47, read by title
Mr Bennett moved
To refer to Committee on Printing
Carried.

S. B. No. 48. read by title.
Mr Hamill moved.
To refer to Committee on Agriculture
Carried.

S. B. No. 49. read by title.
Mr Hamill moved
To refer to Committee on State Institutions & Public Buildings
Carried.

S. B. No. 50 read by title.
Mr Butler moved
To refer to Committee on Penitentiary
Carried.

S. B. No. 51. read by title
Mr Brumit moved.
To refer to Committee on Elections
Carried.

S. B. No. 52. read by title
Mr Saunders moved
To refer to Committee on Immigration.
Carried.

S. B. No. 53. read by title
Mr Hill moved.

To refer to Committee on Judiciary
Carried.

S. B. No. 54 read by title
Mr Butters moved
To refer to Committee on Printing.
Carried.

S. B. No. 55, read by title.
Mr Hamill moved.
To refer to Committee on Mines
and Mining
Division called for, and
motion lost by following vote
Ayes. 9.
Noes. 9.
Mr Butters moved.
To refer to Committee on Stock.
Division called for and
motion lost by following vote
Ayes 10.
Noes 10
Mr Rockwell moved.
To refer to Committee on Mines
and Mining
Mr De France raised point of order
that the question could not be put
as it had once before been put by

the President

The Senate by vote decided that the point of order was well taken,—

Mr Haynes moved

To reconsider the vote whereby the Senate refused to refer S. B. No. 55 to Committee on Stock.

Ayes & Noes called with following result.

Ayes.—Messrs. Butters, Clelland, De France, Ellsworth, Gannon, Hall, Hamilton, Haynes, Henson, Hill, Maxwell, Meldrum, Randall, Rockwell, Saunders & Webster (President) — 16.

Noes.—Messrs. Bates, Bennett, Gardner, Hamill, Johnson, and Moynahan — 6

Absent & Not Voting

Messrs. Barela, Cleacon, Meyer & Taylor — 4

So the motion to reconsider was carried.

The question recurring on motion To refer S. B. No. 55 to Committee

on Stott it was
Carried.

S. B. No. 56, read by title.
Mr Ellsworth moved
To refer to Committee on Judiciary
Carried.

S. B. No. 57 read by title
Mr Haynes moved.
To refer to Committee on Judiciary
Carried
S. B. No. 58, read by title
Mr Haynes moved.
To refer to Committee on State Institutions & Public Buildings
Carried
S. B. No. 59, read by title
Mr Hall moved.
To refer to Committee on Counties & County Lines.
Carried
S. B. No. 60, read by title
Mr Haynes moved,
To refer to Committee on State Institutions & Public Buildings
Carried.

S. B. No. 61, read by title. —
Mr Henson moved. —
To refer to Committee on Counties and County Lines —
Carried. —

S. B. No. 62, read by title. —
Mr Ellsworth moved. —
To refer to Committee on Judiciary —
Carried. —

S. B. No. 63. read by title —
Mr Moynahan moved. —
To refer to Committee on Roads and Bridges —
Carried. —

S. B. No. 64 read by title —
Mr Gaussoin moved. —
To refer to Committee on Finance, Ways and Means. —
Carried. —

S. B. No. 65, read by title. —
Mr Clelland moved. —
To refer to Committee on Judiciary —
Carried. —

S. B. No. 68, read by title.
Mr Randall moved.
To refer to Committee on Fees and Salaries
Carried.

S. B. No. 69 read by title
Mr Randall moved.
To refer to Committee on Mines and Mining
Carried.

S. B. No. 70. read by title
Mr Butters moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 71. read by title
Mr Butters moved.
To refer to Committee on Penitentiary
Carried.

S. B. No. 72. read by title
Mr Hamill moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 73. read by title.

Mr Hanson moved
To refer to Committee on Agriculture
Carried.

S. B. No. 76 read by title
Mr Hamill moved.
To refer to Committee on Judiciary.
Carried.

S. B. No. 77. read by title
Mr Ellsworth moved.
To refer to Committee on Finance,
Ways and Means
Carried.

S. B. No. 78. read by title
Mr Haynes moved
To refer to Committee on Mines and
Mining.
Carried.

S. B. No. 79. read by title
Mr Butler moved.
To refer to Committee on Printing
Carried.

S. B. No 80. read by title
Mr Butler moved.

To refer to Committee on Agriculture—
Carried.

S. B. No. 81, read by title,
Placed on file for 1st Reading.

S. B. No. 82, read by title
Mr McClelland moved,
To refer to Committee on Judiciary—
Carried.

S. B. No. 83, read by title
Mr Meldrum moved,
To refer to Committee on State Institutions & Public Buildings
Carried.

S. B. No. 84, read by title
Mr Randall moved.
To refer to Committee on Education, School & University Lands.
Carried.

S. B. No. 85, read by title
Mr Randall moved.
To refer to Committee on Finance, Ways & Means.
Carried.

S. B. No. 86 read by title.

Mr Bennett moved,

To refer to Committee on Printing with order to print,

Carried.

S. B. No. 87, read by title

Mr Randall moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 88, read by title.

Mr Bennett moved.

To refer to Committee on Finance, Ways & Means.

Carried

S. B. No. 89, read by title

Mr Bennett moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 90, read by title,

Mr Butters moved.

To refer to Committee on Education School & University Lands.

Carried.

S. B. No. 91. read by title
Mr Randall moved.
To refer to Committee on Judiciary.
Carried.

S. B. No. 92. read by title
Mr Haynes moved
To refer to Committee on Judiciary.
Carried.

S. B. No. 93. read by title.
Mr Randall moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 94. read by title
Mr Ellsworth moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 95. read by title
Mr Bruick moved
To refer to Committee on Judiciary
Carried.

S. B. No. 96. read by title
Mr Hanson moved.
To refer to Committee on Judiciary

CHAIN &
DENVER

Carried

S. B. No. 97 read by title
Mr Hamill moved
To refer to Committee on Federal Relations
Carried.

S. B. No 98. read by title
Mr Butler moved
To refer to Committee on Judiciary
Carried.

S. B. No. 99. read by title
Mr Randall moved
To refer to Committee on Penitentiary
Carried.

S. B. No 100. read by title
Mr Henson moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 101, read by title.
Mr Meldrum moved.
To refer to Committee on Elections
Carried.

S. B. No. 105, read by title
Mr Gaussin moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 106, read by title.

Mr Hamill moved.
To refer to Committee on Judiciary
Carried

S. B. No. 107 read by title
Mr Bennett moved.
To refer to Committee on Finance, Ways and Means.
Carried.

S. B. No. 108. read by title.
Mr Butler moved,
To refer to Committee on Fees and Salaries.
Carried.

S. B. No. 109. read by title
Mr Hamill moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 110. read by title
Mr Butler moved.
To refer to Committee on Public Lands
Carried.

S. B. No. 111 read by title
Mr Hamill moved.
To refer to Committee on Fees and Salaries
Carried.

S. B. No. 112. read by title.
Mr Randall moved,
To refer to Committee on Judiciary.

Carried

S. B. No. 113 read by title
Mr Moynahan moved.
To refer to Committee on Roads and Bridges
Carried

S. B. No. 114. read by title
Mr Brunt moved.
To refer to Committee on Printing
Carried.

S. B. No. 115. read by title.
Mr Butler moved
To refer to Committee on State Institutions and Public Buildings
Division called for, with following result
Ayes — 12.
Noes — 7.
So the motion was
Carried.

S. B. No. 116. read by title
Mr Brunt moved
To refer to Committee on Judiciary
Carried.

S. B. No. 117. read by title.
Mr Bates moved.
To refer to Committee on Public Lands
Carried.

S. B. No. 118, read by title

Mr Meldrum moved.

To refer to Committee on Incorporations

Carried.

S. B. No. 119, read by title.

Mr Moynahan moved.

To refer to Committee on Finance, Ways & Means

Carried.

S. B. No. 120, read by title.

Mr Rockwell moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 121, read by title

Mr Hamill moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 123, read by title

Placed on file for 1st reading.

S. B. No. 124, read by title

Mr Hamill moved.

To refer to Committee on Mines & Mining.

Mr Rockwell moved.

To refer to Committee on Printing

Mr Brush moved.

To lay on the Table.

Division called for with following result

Ayes-10.

Nov. 9.

So the motion to lay on the Table was carried.

S. B. No. 125 read by title.
Mr Haynes moved.
To refer to Committee on Judiciary.
Carried.

S. B. No. 126, read by title
Mr McElduin moved.
To refer to Committee on Finance, Ways and Means.
Carried.

S. B. No. 127, read by title
Mr Clelland moved
To refer to Committee on Judiciary
Carried.

S. B. No. 128, read by title.
Mr Clelland moved.
To refer to Committee on Incorporations
Carried.

S. B. No. 129, read by title.
Mr Brunt moved.
To refer to Committee on Immigration
Carried.

S. B. No. 130, read by title
Mr McElduin moved
To refer to Committee on Mines and Mining.

Carried.

S. B. No. 131. read by title

Mr Butler moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 132. read by title

Mr De France moved

To refer to Committee on Judiciary

Carried

S. B. No. 133. read by title

Mr Randall moved.

To refer to Committee on Incorporations

Carried.

S. B. No. 134. read by title

Mr Hamill moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 135. read by title.

Mr Haynes moved.

To refer to Committee on Counties and County Lines.

Carried.

S. B. No. 136 read by title.

Mr Ellsworth moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 137, read by title

Mr Hamill moved.

To refer to Committee on Military Affairs-

Carried.

S. B. No. 138, read by title

Mr Randall moved.

To refer to Committee on Judiciary

Carried.

S. B. No. 139, read by title

Mr Bennet moved.

To refer to Committee on Judiciary

Lost.

Placed on file, for 1st Reading

S. B. No. 140, read by title.

Placed on file, for 1st Reading.

Mr Barela moved.

To refer to Committee on Military Affairs-

Carried.

S. B. No. 141, read by title

Mr Butler moved.

To refer to Committee on Mines and Mining-

Carried.

S. B. No. 142, read by title.

Mr Hamill moved

To refer to Committee on Irrigation

Carried.

S. B. No. 143 read by title

Mr Ellsworth moved,
To refer to Committee on Judiciary.
Carried.

S. B. No. 144. read by title.
Mr Moynahan moved,
To refer to Committee on Elections.
Carried.

S. B. No. 145. read by title.
Mr Maxwell moved.
To refer to Committee on Mines and Mining.
Carried.

S. B. No. 146. read by title.
Mr Butters moved.
To lay on the Table and
Consider in connection with S. B. No. 124
Carried.

S. B. No. 147. read by title.
Mr Rockwell moved.
To refer to Committee on Mines and Mining.
Mr Bennett moved.
To amend by striking out "Mines and Mining"
and insert in lieu thereof "Agriculture
"and Manufactures"
Lost.
The question recurring on the original
motion it was
Carried.

S. B. No. 148. read by title.

Mr Hamill moved.
To refer to Committee on Judiciary.
Carried.

S. B. No. 149, read by title.
Mr Gannon moved,
To refer to Committee on Mines & Mining.
Carried.

S. B. No. 150, read by title,
Mr Butters moved.
To refer to Committee on Mines & Mining.
Carried.

S. B. No. 151, read by title,
Mr Butters moved,
To refer to Committee on Judiciary.
Carried.

S. B. No. 152, read by title.
Mr Moynahan moved,
To refer to Committee on Finance, Ways & Means
Carried.

S. B. No. 153, read by title,
Mr Meldrum moved,
To refer to Committee on Penitentiary
Carried

S. B. No. 154, read by title.
Mr Haynes moved.
To refer to Committee on Penitentiary.

Carried.

S. B. No. 155, read by title
Mr DeFrance moved.
To refer to Committee on Mines and Mining.
Carried.

Mr Maxwell moved.
To grant Mr Hamill leave of absence for remainder of to-days session.
Carried.

S. B. No. 156, read by title.
Mr Meldrum moved.
To refer to Committee on Judiciary.
Carried.

S. B. No. 157, read by title.
Mr Bennet moved.
To refer to Committee on Judiciary.
Carried.

S. B. No. 158, read by title.
Mr Belton moved.
To refer to Committee on Judiciary.
Carried.

S. B. No. 159, read by title.
Mr Bennet moved.
To refer to Committee on Printing.
Carried.

S. B. No. 160, read by title.

Mr Haynes moved.
To refer to Committee on Public Lands.
Carried.

S. B. No. 161. read by title.
Mr Haynes moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 162, read by title.
Mr Haynes moved.
To refer to Committee on Stock
Carried.

S. B. No. 163, read by title.
Mr Haynes moved.
To refer to Committee on Stock
Carried.

S. B. No. 164, read by title,
Mr Haynes moved.
To refer to Committee on Roads & Bridges.
Carried

S. B. No. 165. read by title,
Mr Randall moved.
To refer to Committee on Education, School & University Lands
Carried.

S. B. No. 166, read by title.
Mr Randall moved.
To refer to Committee on Mines & Mining

Carried

S. B. No. 167, read by title,
Mr Randall moved.
To refer to Committee on Printing
Carried

S. B. No. 168, read by title,
Mr Butters moved.
To refer to Committee on Stock
Carried.

S. B. No. 169, read by title,
Mr Haynes moved.
To refer to Committee on Elections
Carried

S. B. No. 170, read by title,
Mr Butters moved.
To refer to Committee on Elections
Carried.

S. B. No. 171, read by title,
Mr De France moved,
To refer to Committee on Elections
Carried,

S. B. No. 172, read by title
Mr Clelland moved,
To refer to Committee on Irrigation.
Carried.

S. B. No. 173, read by title,

Mr Meldrum moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 174, read by title.
Mr Randall moved.
To refer to Committee on Judiciary
Carried.

S. B. No. 175, read by title.
Mr Brunt moved.
To refer to Committee on Judiciary
Carried.

Mr Saunders (by unanimous consent) introduced.
S. C. R. No. 7. "In relation to the final reading and passage of Bills during the Holidays."

Mr Saunders moved.
To make the consideration of S. C. R. No. 7, Special Order for to-morrow (Friday) morning.
Carried

Mr Brunt moved.
To adjourn until 10 am. to-morrow
Carried

So at 5^{10} P.M. the Senate adjourned.

Journal of the Senate.

December 22nd 1876.

Approved.

General Assembly of Colorado.

Senate
First Session
Friday. December 22nd 1876.

Senate met pursuant to adjournment.

President in the Chair.

Roll Call

Absent - Messrs. Chacon, Meyer and Taylor (Excused) Barela, Bennet and DeFrance.

Quorum present

Mr Butler moved.
To grant Mr Bennet leave of absence for to-days session.
Carried.

Prayer by the Chaplain.

Mr Rockwell moved.
To dispense with the reading of so much of the Journal of yesterday as relates to the reference of bills read by title.
Carried.

Journal of yesterday read and approved.

Messrs Bates &d DeFrance appeared &d took their seats

Mr Rockwell introduced the following resolution

"Resolved

" That the Standing Committee "on Judiciary have leave to sit during "the session of the Senate for consider-"ing the bills referred to such Committee"

Mr Rockwell moved, (unanimous consent being given)
To adopt the Resolution
Carried

S. B. No. 28, entitled "A Bill for an "Act regulating Elections &d repealing "all Territorial Acts upon the subject."

Read 1st time.

Mr Barela appeared &d took his seat.

Mr Hill asked leave of absence until Jan. 3d. 1877.
Granted

Mr Hamilton moved
To grant Mr Gausine leave of absence until Jan. 3d. 1877
Carried.

Mr Hamill moved,

To suspend the Rules for the purpose of moving a reconsideration of vote whereby the Senate refused to concur in H. C. R. No. 13.

~~Mr Button raised point of order that the requisite 2/3 of members elect was not present.~~

~~The President decided point of order well taken & by order of the Senate Instructed the Sergt-at-Arms to summon members of the Senate now in Committee Rooms.~~

Ayes & Noes demanded

Mr Gaussoin having been granted leave of absence until Jany. 3d 1877
Mr Hanson objected to his vote being recorded.

The President decided that Mr Gaussoin was entitled to a vote at any time, when present.

Mr Hill having been granted leave of absence until Jany. 3d 1877.
Asked to be excused from voting.
Request granted.

Ayes & Noes called with following

result.

Ayes—Messrs. Banks, Bates, Butler, Clelland, Ellsworth, Garrison, Hamill, Hamilton, Haynes, Johnson, Maxwell, McLennan, Randall, Rockwell, Saunders and Webster (President) — 16.

Noes—Messrs. De France, Gardner, Hall, Henson and Moynahan — 5.

Excused—Mr. Hill — 1.

Absent and Not Voting
Messrs. Clawson, Brunet, Meyer and Taylor — 4.

So the Senate refused to suspend the Rules.

Mr. Moynahan, (unanimous consent being given) moved.
To suspend the Rules and
To reconsider the vote whereby S. B. No 70 was referred to the Committee on Judiciary.
Carried.

Mr. Moynahan moved.
To amend motion to refer, by striking out "Committee on Judiciary" and inserting in lieu thereof "Committee on Mines and Mining"

Carried

Mr Hazzill moved
To grant Mr Williams leave of absence
from to-morrow until Jany 3d 1877
Carried

Mr Hazzill moved.
To adjourn,
Carried.

So at Twelve O'clock & Fifteen minutes
the Senate adjourned.

Afternoon Session

Senate met pursuant to adjournment

President in the Chair

Quorum present

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Dec. 22nd 1876.

To the Honorable.
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has amended Senate Bill No. 66, and passed it by a 2/3 vote as amended

S. B. No. 66, and amendments made thereto are herewith transmitted

Respectfully
W. B. Felton
Chief Clerk of the House

Mr Butler moved
To suspend the Rules for the purpose of taking up S. B. No. 66,
Carried.

S. B. No. 66, entitled "A Bill for an "Act regulating the manner in which "members, Officers and employees of the "General Assembly shall draw their "pay" —

Taken up.

Mr Haynes moved

To adopt amendments proposed by the House.

Mr De France moved

To divide the question

Carried

The question being on the adoption of 1st and 2nd proposed amendments providing for the "striking out of the words "Officers and Employees" wherever the same occurs in the Title and in Section 1," —

The ayes and noes were called with following result

Ayes — Messrs. Bates, Butler, Clelland, De France, Ellsworth, Gardner, Garrison, Hall, Hamill, Hamilton, Haynes, Henson, Johnson, Maxwell, Meldrum, Meyzeleau, Randall, Rockwell, Saunders, and Webster, (President) — 20.

Noes — Mr Barela. — 1

Absent and Not Voting —

Messrs. Bennet, Clason, Hill,

Meyer and Taylor — 5.

So the Senate concurred in 1st and 2nd amendments proposed by the House to S.B. No. 66.

The question being on the adoption of 3d proposed amendment providing "Add to Section 1. the words "the amount due for mileage to be determined upon a certificate made by the member claiming the same"

Mr Rockwell moved.
To amend the proposed amendment by striking out the word "Certificate" and inserting in lieu thereof the words "Sworn Statement"
Lost

The ayes and noes were called on the original motion to adopt 3d amendment with following result

Ayes—Messrs. Baxla, Hanson and Webster, (President) — 3.

Noes—Messrs. Bates, Butler, Cleland, De France, Ellsworth, Gardner, Garrison, Hall, Harrell, Hamilton, Haynes, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, and Sam-

Absent & Not Voting

Messrs. Brunt, Chaves, Hill,
Meyer & Taylor — 5.

So the Senate refused to concur in the 3d amendment proposed by the House to S. B. No. 6.

Mr. Rockwell asked unanimous consent to make reports from Judiciary Committee.

Consent granted

Committee on Judiciary reported as follows.

State of Colorado
Senate Chamber
Dec. 22nd 1876

To the
President of the Senate.

Your Committee to whom was referred S. B. No. 6, regarding the pay of H. Beckurts & N. Witteborg for printing the Constitution, beg leave to report the same back to the Senate without amendment & recommend its passage.

also

Your Committee to whom

was referred H. B. No. 11, beg leave to report the same back to the Senate with the following amendment, strike out the words "Second Tuesday in March" in the fourth line of Section 1, & insert in lieu thereof "First Tuesday of April" also, strike out all after the word "the" in the fifth line of Section 1, & insert in lieu thereof the words "First Tuesday in December"

also

Your Committee to whom was referred S. B. No. 14, beg leave to report the same back to the Senate with the recommendation that all of said bill after the enacting clause be stricken out & the substituted sections herewith transmitted be enacted in lieu thereof

Respectfully
L. C. Rockwell
Chairman

Mr Butler moved.
To agree with Report of Judiciary Committee on.
S. B. No. 6 entitled "A Bill for an Act
"to provide for the payment of certain
"claims for printing the Constitution
"of the State."

Carried.

Mr De France moved.
To agree to the Report of the Judiciary Committee on.
H. B. No. 11, entitled "A Bill for an Act "to provide for the holding of two or more "terms of the Supreme Court of the State "of Colorado, Annually, and to make certain "regulations incident thereto"
Carried.

Mr De France moved.
To suspend the Rules,
To take up H. B. No. 11 and
To put the same on 3rd Reading and final passage,
Carried,

Message from the House

State of Colorado,
Chamber of the House of Representatives
Denver, Dec 22nd 1876.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body, that the House has adopted H. C. R. No. 14. "In relation "to adjournment over the Holidays"
H. C. R. No. 14 is herewith transmitted
Respectfully
W. B. Felton
Chief Clerk of the House

Mr De France moved.
To refer H. B. No. 11. and Amendments thereto to Committee on Engrossment with order to Engross Amendments.
Carried.

Mr Butters moved.
To suspend the Rules
To take up S. B. No. 6. and
To put the same on 3d Reading and final passage.
Carried.

Mr Butters moved.
To refer S. B. No. 6, to Committee on Printing, with orders to print.
Carried.

Mr Ellsworth moved.
To grant Mr Randall leave of absence for to-morrow session
Carried.

Mr Randall moved
To suspend the Rules and
Consider H. C. R. No. 14. "In relation to "adjournment over the Holidays"
Carried.

H. C. R. No. 14. read.

Mr Hamill moved.
To concur in the action of the House

in the adoption of H. J. R. No. 14,

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver, Dec. 22nd 1876.
To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body, that the House recedes from its third amendment to S. B. No. 66.

Respectfully
W. B. Felker
Chief Clerk of the House.

The ayes and noes were called on motion to concur in H. J. R. No. 14, with the following result.

Ayes. — Messrs. Barela, Bates, Clelland, Gaussoin, Hamill, Hamilton, Johnson, Maxwell, Meldrum, Randall, Rockwell, and Saunders. — 12.

Noes. — Messrs. Butler, De France, Ellsworth, Gardner, Hall, Haynes, Henson, Megrahan and Webster (President) — 9.

Absent and Not Voting
Messrs Brunet, Clemens, Hill,

Meyer & Taylor ——— 5.

So the Senate concurred in the action of the House in adopting H. C. R. No. 14.

Committee on Engrossment reported as follows.

To the
President of the Senate
Your Committee to whom was referred H. B. No. 11. beg leave to report the same back to the Senate with amendments correctly engrossed
J. P. Maxwell
Chairman

H. B. No. 11. read 3d time and
Passed by the following vote

Ayes, — Messrs. Barela, Bates, Butters, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hall, Hamill, Hamilton, Haynes, Henson, Johnson, Maxwell, Meldrum, Morgan, Randall, Rockwell, Saunders and Webster (President) ——— 21.

Noes. ——— None.

Absent and Not Voting
Messrs. Brunet, Chaves, Hill, Meyer and Taylor ——— 5.

Title agreed to.

Mr. DeFrance moved,
To suspend the Rules, and
Take up Report of Conference Committee
on
H. B. No. 4, entitled "A Bill for an Act "to repeal Sections Sixty-seven and Sixty-eight "of Chapter Fifty of the Revised Statutes of "Colorado relating to the attachment of the "body, and issuing executions against "the body of a defendant in Civil Actions "and to enact other provisions in lieu "thereof and to release all persons now "under arrest or confined in jails in "virtue of such process issued in civil "actions"
Carried

Mr. Haynes moved,
To amend the Report by striking out all of that portion which relates to the manner of passing the Bill.
Carried.

Message from the House.

State of Colorado.
Chamber of the House of Representatives
Denver, Dec. 22nd 1876.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform you

Honorable Body, that the House, has passed H. B. No. 191, in relation to the holding of a term of Court in Clear Creek County, for the transaction of Criminal business, and the concurrence of the Senate is requested.

H. B. No 191, is herewith transmitted.

Respectfully
W. B. Felker
Chief Clerk of the House.

Mr DeFrance moved.
To adopt the Report and
The amendments proposed by the Committee of Conference on H. B. No. 4.

Mr Ellsworth moved.
That Mr Hall be excused from voting on motion.
Carried.

Ayes and Noes called, with following result.

Ayes—Messrs. Barela, Bates, Butters, Clelland, DeFrance, Ellsworth, Gardner, Gaussoin, Hamill, Hamilton, Haynes, Henson, Johnson, Maxwell, Meldrum, Moynahan, Randall, Rockwell, Saunders and Webster — 20.

Noes — None

Excused - Mr Hall 1

Absent and Not Voting
Messrs. Bennett, Chacon, Hill,
Myer and Taylor 5

So the motion to adopt was carried.

Mr Rockwell raised the Point of order That the agreeing to and adoption of the amendments did not pass the Bill

The question was submitted to the Senate and the Point decided to be Not well taken.

Mr Hamill moved.
To suspend the Rules and
Take up.
H. B. No. 191, entitled "A Bill for an Act "to provide for Holding a Term of Court "in Clear Creek County, for the transaction of Criminal Business"
Carried.

H. B. No. 191, read 1st time.

Mr Butler moved.
To grant Mr De France leave of absence for remainder of to-days session
Carried.

Mr Butler moved —

To take a recess until 7^{30} P.M. —

Carried —

So at 4^{40} P.M. the Senate took a recess —

Evening Session

Senate met at 7^{30} P.M. —

S. B. No. 43, entitled "A Bill for an Act "to provide for the selection, Location, Appraisal, Sale and Leasing of State Lands" —

Read 1st time —

S. B. No. 44, entitled "A Bill for an Act "to prescribe certain Powers and duties of the "Officers of the Executive department and Certain "Rules, in relation to the Fiscal Affairs of "the State" —

Read 1st time —

S. B. No. 46, entitled "A Bill for an Act "to establish a Board of Police Commissioners "in certain Cities of the First Class" —

Read 1st time —

Mr Bates (unanimous consent being given) moved —

To refer to Committee on Incorporations —

Carried

S. B. No. 81, entitled "A Bill for an Act "to authorize the Governor of the State to "make on the General Government a Requisition for arms, and to give Bond for the same."
Read 1st time

S. B. No. 123, entitled "A Bill for an Act "to provide for the Election of a Police Magistrate in certain Cities, defining his Duties, "and Jurisdiction and Providing for his compensation"
Read 1st time

Mr Bates, (unanimous consent being given) moved,
To refer to Committee on Printing, with orders to print
Carried.

S. B. No. 139 entitled "A Bill for an Act "to repeal all existing Laws concerning "Juries, in the District Courts and to "enact other provisions in lieu thereof"
Read 1st time

S. B. No. 25, entitled "A Bill for an act "to repeal certain Laws relating to Corporations"
Read 2nd time

Mr Ellsworth, (unanimous consent being

given) moved.
To refer to Committee on Incorporations—
Carried

S. B. No. 26, entitled "A Bill for an Act
"to provide for the formation of Corporations"
Read 2nd time

Mr Ellsworth (unanimous consent being
given) moved.
To refer to Committee on Incorporations—
Carried

Mr Monahan moved.
To adjourn
Carried

So at 10^{15} P.M. the Senate adjourned.

Journal of the Senate

December 23rd 1876

Adjourned

General Assembly of Colorado

Senate
First Session
Saturday December 23d 1876

Senate met pursuant to adjournment

President in the Chair

Roll Call.

Absent — Messrs Chacon, Clelland, Garrison, Hill, Meyer, Randall & Taylor (Excused) De France Haynes, Meldrum & Rothwell

Quorum present

Prayer by the Chaplain

Messrs Meldrum & Rothwell appeared & took their seats

Journal of yesterday read

Mr Butters moved
To correct Journal of yesterday by striking out the words "Mr Butters raised point "of order that the requisite 2/3 of members "elect was not present"
Carried

Journal corrected and approved.

Mr De France appeared and took his seat

Reports of Standing Committees

Committee on Printing reported as follows.

To the

President of the Senate

Your Committee to whom was referred Senate Bills No. 37 and 67 beg leave to report the same back to the Senate, correctly printed, except in No. 37 Sec. 17, Line 4, the letter "a" should be "as" —— In Sec. 21, Line 1, the word "in" should be "of" — The heading "Union High School" at the beginning of Sec. 37 is omitted. — In Sec. 74, Line 3, the words "shall be" should be inserted between the words "and" and "Kept" —— In Sec. 89, Line 5, the word "transcript" should be inserted between the words "which" and "shall" and in Sec. 94, Line 7, the word "and" should be inserted between the words "any" and "shall"

Albert Johnson
Chairman

Committee on Enrollment reported as follows.

To the

President of the Senate

Your Committee to whom was referred S. B. No. 66, beg leave to report the same back to the Senate correctly enrolled

Albert Johnson
Chairman

Committee on Counties and County Lines reported as follows.

Your Committee to whom was referred S. B. 135 beg leave to report the same back to the Senate with a recommendation that it be printed

Respectfully
J. B. Hall
Chairman

Mr Butler moved,
To agree to report and order
S. B. No. 135, entitled "A Bill for an Act "for the relief of Las Animas County" to be printed
Carried.

First Reading of Bills

S. B. No. 37, entitled "A Bill for an Act "to establish and maintain a System of "Free Schools"
Read 1st time.

Committee on Enrollment (Joint) reported as follows.

To the

President of the Senate

The Joint Committee on Enrollment have compared Senate Bill No. 66 with the engrossed copy, find the same correctly enrolled & report it to the Senate signed by the Speaker of the House.

Respectfully
W. B. Hamilton
Chairman, on the part of the Senate, of the Joint Committee on Enrollment

The title was read &
The President announced the signing of S. B. No. 66, entitled "An act regulating "the manner in which members of the "General Assembly shall draw their "Pay"

S. B. No. 67, entitled "A Bill for an act "to facilitate the recovery of ore unlawfully taken by theft or trespass: To "regulate the sale and disposition of "ore and for the better protection of "mine owners"
Read 1st time

S. B. No. 28 entitled "A Bill for an "Act regulating Elections & repealing "all Territorial acts upon the Subject"
Read 2nd time to & including Section 46.

Mr Hamill moved,
To take a recess until 2 P.M.
Carried.

So at Twelve O'clock & Fifteen minutes the Senate took a recess.

Afternoon Session

Senate met at 2 P.M.

Committee on Enrollment (Joint) reported as follows.

To the President of the Senate

The Joint Committee on Enrollment presented Senate Bill No. 66. to his Excellency, the Governor, for his approval, at 12 O'clock M. Dec. 23rd 1876 —

Respectfully
W. B. Hamilton
Chairman on the part of the Senate, of the Joint Committee on Enrollment

Message from the Governor

State of Colorado
Executive Department
Denver, Dec. 23rd 1876

Hon W. W. Webster
President of the Senate
Sir

I have the honor to inform you, that I have this day signed Senate Bill No. 66. entitled "A Bill "for an act regulating the manner "in which Members of the General Assembly shall draw their pay" & have filed the same with the Secretary of State.

Very Respectfully

John L. Routt
Governor

The Senate resumed and finished the 2nd Reading of S. B. No 28, commencing at Sec. 47

Mr Mayquahan moved
To refer to Committee on Elections
Carried.

Mr Ellsworth asked unanimous consent to present report of Printing Committee.
Consent granted.

Committee on Printing reported as follows.

To the
President of the Senate
Your Committee to whom was referred Senate Bill No. 45, beg leave to report the same back, to the Senate, printed but not examined
Respectfully
Albert Johnson
Chairman.

Mr Ellsworth moved
To receive report and
Place S. B. No. 45 entitled "A Bill for an "Act to reduce the Law incorporating the "City of Denver, and the several acts amend-

atory thereof into one act and to revise "and amend the same"

On file for 1st Reading

Carried

S. B. No. 43 entitled "A Bill for an Act "to provide for the Selection, Location, "Appraisal, Sale & Leasing of State Lands"

Read 2nd time.

Mr Hamill moved,

To refer to Committee on Public Lands.

Carried.

S. B. No. 44, entitled "A Bill for an Act "to prescribe certain powers & duties of the "Officers of the Executive Department and "certain rules in relation to the Fiscal "affairs of the State"

Read 2nd time

Mr Ellsworth moved

To refer to Committee on Finance, Ways & Means.

Carried

S. B. No. 81, entitled "A Bill for an Act "to authorize the Governor of the State to "make on the General Government a requisition for arms, & to give Bond for the same"

Read 2nd time

Mr Ellsworth moved,

To refer to Committee on Military Affairs.
Carried

S. B. No. 139, entitled "A Bill for an act
"to repeal all existing Laws concerning
"Jurors in the District Courts & to enact
"other provisions in lieu thereof"
Read 2nd time

Mr Ellsworth moved.
To refer to Committee on Counties and County Lines.
Carried.

H. B. No 191, entitled "A Bill for an act
"to provide for Holding a Term of Court
"in Clear Creek County for the transaction
"of Criminal Business"
Read 2nd time.

Mr Hamill moved.
To refer to Committee on Judiciary.
Carried.

Mr Ellsworth asked unanimous consent
To take up and
Read 1st time S. B. No 45.
Consent granted

S. B. No 45 read 1st time

Mr Butler (unanimous consent being

quire/ moved.

To refer to Committee on Incorporations

Carried

Mr Butler moved.

To adjourn

Carried.

So at 4^{45} P.M. the Senate adjourned.